

10-19-1988

Household Hazardous Waste

Assembly Committee on Environmental Safety and Toxic Materials

Follow this and additional works at: http://digitalcommons.law.ggu.edu/caldocs_assembly



Part of the [Environmental Law Commons](#), and the [Legislation Commons](#)

Recommended Citation

Assembly Committee on Environmental Safety and Toxic Materials, "Household Hazardous Waste" (1988). *California Assembly*. Paper 127.

http://digitalcommons.law.ggu.edu/caldocs_assembly/127

This Hearing is brought to you for free and open access by the California Documents at GGU Law Digital Commons. It has been accepted for inclusion in California Assembly by an authorized administrator of GGU Law Digital Commons. For more information, please contact jfischer@ggu.edu.

Hearing by the
CALIFORNIA STATE ASSEMBLY

Committee on
Environmental Safety and Toxic Materials

Chaired by
Assemblywoman Sally Tanner



DEPOSITORY

APR 4 1989

RECEIVED

October 19, 1988

Household Hazardous Waste

MEMBERS

Assemblywoman Marian La Follette, Vice Chair

Assemblyman Charles Bader
Assemblyman Bill Bradley
Assemblyman Lloyd Connelly
Assemblywoman Delaine Eastin
Assemblyman Tom Hayden
Assemblyman Richard Katz

Assemblyman David Kelley
Assemblywoman Lucy Killea
Assemblyman Charles Quackenbush
Assemblyman Byron D. Sher
Assemblywoman Jackie Speier
Assemblywoman Cathie Wright

STAFF

Dorothy Fettig, Consultant

Winifred Schneider
Committee Secretary

KFC
22
L500
E59
1988
no. 3

0250-A

KFC
22
L500
E59
1988
no.3

INDEX OF WITNESSES

	<u>Page</u>
Mr. David Strickler.....	2
Mr. Christopher Campbell.....	20
Mr. Ted Rauh.....	29
Mr. Jim Allen.....	32
Mr. Eugene Herson.....	54
Ms. Diane Christenson.....	79
Ms. Sandi Schafer.....	90
Mr. Kieran Bergin.....	103
Mr. Jack Michael.....	108
Mr. Steve Adams.....	109
Ms. Emy Meiorin.....	115
Mr. Joe Zorn.....	130
Ms. Tish Sprague.....	138
Mr. Dan Scannell.....	140

LAW LIBRARY

APR 4 1989

GOLDEN GATE UNIVERSITY

CHAIRWOMAN SALLY TANNER: Welcome to this hearing of the Assembly Environmental Safety and Toxic Materials Committee.

As you know, the subject of today's hearing is Household Hazardous Waste. The purpose of the hearing is to provide this committee with information about state and local government efforts to provide community services relating to household toxics.

With a particular eye to learning, if there are ways in which the state can be of additional assistance to cities and counties in their efforts to provide household toxics collection services for the residences.

In 1985, I introduced legislation on the subject of Household Hazardous Waste because I was impressed by the initiative being shown in this area by many California local governments and other groups. I thought that, at a minimum, state government could help by providing technical assistance, a public information program, and uniform guidance on the operation of collection programs for household toxics, and while AB 1809, which was a bill I introduced, has not yet been implemented -- I introduced it a long, long time ago -- I believe it should be and hopefully soon will be. I continue to be impressed by the diversity of the local government programs in this state.

Other members of my committee have also shown an interest in the subject of Household Hazardous Waste, including Assemblywomen Killea and Wright. And most recently Assemblywoman Eastin with her comprehensive AB 2448 of last year which included a grant program for state, city or counties, county efforts to

keep hazardous waste out of our solid waste landfill.

At today's hearing we will first hear from the California Waste Management Board and the State Department of Health Services about their activities related to household hazardous waste.

We have then asked representatives of several local governments to describe their programs to us, and also to give us their opinions on ways in which the state laws, programs or regulations have hampered or might better assist their effort.

I intend for this to be a practical hearing about the difficulties encountered with this program because I know that cities and counties throughout the state are expending considerable amounts of money and time in trying to put together the best possible household hazardous waste program.

Thank you, again, for joining us today. I think we'll have a very interesting hearing. I'm going to begin -- there will be members attending, and they're just late showing up, which is very unusual.

I will ask David Strickler, who is the Household Hazardous Waste Coordinator for the California Waste Management Board, and Chris Campbell, who is the President of California Partnerships to come forward. Is that the way you had planned it?

MR. DAVID STRICKLER: Good morning.

CHAIRWOMAN TANNER: Good morning. You're going to tell us how you've implemented AB 1809 of '86?

MR. STRICKLER: Yes I am. My name is David Strickler, I am the Household Hazardous Waste Coordinator for the California

Waste Management Board. First I'd like to say thank you, on behalf of the Board. The newly appointed chairman, Mr. John Gallagher, and our Chief Executive Officer, for the opportunity to come and talk about practicalities with regards to the Household Hazardous Waste Management Program which the Board is in the process of implementing.

As you are aware, in your letter of invitation to the Board,...

CHAIRWOMAN TANNER: Put the mike a little closer, I don't know that... Yes.

MR. STRICKLER: Okay. Can everybody hear? Okay, thank you.

CHAIRWOMAN TANNER: Better.

MR. STRICKLER: As you are aware, in the letter of invitation that you wrote Mr. Iwon, you addressed several questions about the ongoing efforts of the Board in regard to AB 1809, AB 2448 and really talking about what's being done specifically. I'd like to structure my comments around those questions...

CHAIRWOMAN TANNER: Good.

MR. STRICKLER: ...and just move from one question to the next and as we go to them I'd like to accept, obviously, any questions you may have about the specifics on what I'm talking about, and I'd like to probably expedite it because I only have about 15 minutes and I have a gentleman here and I'd like to have you hear what he has to say about our pilot projects for public information programs. So with that I'm going to start it up.

CHAIRWOMAN TANNER: Okay.

MR. STRICKLER: Your first question talked about review and development and implementation of AB 1809. I would like to say, and I thought your comments were directed at really talking about the past, the present, and the planned program under AB 1809.

I'd like to just briefly say that, the past has been developmental, obviously. The creation of the advisory committee, the advisory committees report to the Board, the development of guidelines of the final report to the Legislature, all those items have been the main function of the program until about June of this year.

CHAIRWOMAN TANNER: Let me stop you there. You know I am not thrilled with the fact that the Board really didn't do very much on implementing AB 1809. And I want you and every other regulating agency to know that when the Legislature passes a bill, when the governor signs it into law, it should be implemented. I understand now there have been changes, and that you folks are planning on going forward, but when there is a law on the books I don't think that any agency should thumb their nose at that law, and that's the feeling -- that's what I felt was going on, and I'm really happy if you are planning on moving forward. So, that's the last thing that I'll say critically, but I had to say it because it's been unbelievable.

MR. STRICKLER: Well, thank you for your comments there, and I hope to thrill you with my presentation as to what were...

CHAIRWOMAN TANNER: Good. All right.

MR. STRICKLER: In regards to the Public Information Program, let me first say that I think that that's -- and the Board has expressed that as being a very high priority for the coming year. We have a plan of action, it has been presented to the Board, and that was the top priority.

For that reason, the Board lead a contract to start a pilot project to see how, in what ways, pilot efforts could be done to develop those kind of connections. Using the partnership, we hope, of the private and the public sectors to get the word out, not just solely a regulatory sort of addressment of the issue, but to develop new partnerships in that area.

Mr. Christopher Campbell, from California Partnerships, is leading, spearheading that effort in Southern California, and I'd like to sort of, not steal his thunder about public information programs until the last, and let him make that presentation.

AB 1809 calls for technical services to counties, basically. We have a staff, the new staff that we have is composed of five people, two of them dedicated to the AB 2448 program, three of them, two of them of which are administratively assigned at this point in time, they're going to handle the Household Hazardous Waste Management Program. We're going to try to emphasize within that program technical services for the counties. What that means for us is, finding ways to develop information that the counties can use with their communities on making them understand, helping to develop access to funding, different ways that you may acquire funding, and then, to maybe

wade into the issues with siting of a permanent facility for household hazardous waste collection and/or something to the effect of small quantity generated.

CHAIRWOMAN TANNER: Finding ways to site a facility to handle...

MR. STRICKLER: Finding ways to make it a little more accessible to do that. I think one of the things that I found on a fact finding tour, that myself and my staff conducted with the major counties that have long standing programs in California, was that we can get something sited but it takes so long to get it sited, and there are so many hoops to jump, and it's a non-RCRA waste essentially. So I think we need to develop some communications, and maybe a further clarification of the model operations plan about those citing of permanent facilities and where they're going to go and what they'll be able to accept.

CHAIRWOMAN TANNER: Have you met with the Department of Health Services on that?

MR. STRICKLER: Staff to staff we've talked about this. There's nothing formal at this point in time, and let's be quite honest, I'm getting my feet wet, getting them on the ground, I'm working with the counties, or better yet, they're working with me in a lot of these areas to help us come up to speed as soon as possible. As you know, there are a lot of concerned interests in this, not just the public, not just the counties, but there's the private sector interest, there's other agency interest, and they all need to get together and start working in the same direction. And that's really sort of the focus of the Boards program right

now, is to get that networking up and running.

CHAIRWOMAN TANNER: Mrs. La Follette has a question.

ASSEMBLYWOMAN MARIAN W. LA FOLLETTE: I just have a question, maybe you've already addressed this. Who is your immediate supervisor?

MR. STRICKLER: Herbert Iwahoro, (?) the Deputy Director for the Board, Chief Deputy Director, I believe, is Mr. Iwahoro's? title, so I work for him.

ASSEMBLYWOMAN LA FOLLETTE: And he's under.

MR. STRICKLER: He works for a Mr. George Iowan?, the Chief Executive Officer for the Board.

CHAIRWOMAN TANNER: Okay, thank you.

MR. STRICKLER: Okay, thank you.

CHAIRWOMAN TANNER: All right.

MR. STRICKLER: Okay. The next item I'd like to talk about is a review of the process of developing the AB 2448 guidelines.

And as you are well aware, and probably the committee, that will be the first funding for Hazardous and Household Hazardous Waste programs that are being conducted by cities and counties in California currently. I have developed tentative guidelines. The process requires that the advisory committee, the AB 2448 Advisory Committee make recommendations to the board on what they think the criteria for developing grants for selecting applicants, if you will, should be, and that's the process that we're at right now.

ASSEMBLYWOMAN LA FOLLETTE: There hasn't been criteria

developed to this point?

MR. STRICKLER: Well, it's not a matter of developed, I guess it's a matter of having the 2448 committee look at the criteria that exist and to understand who probably would have real quick access to grants monies and who would not have quick access, and sort of talk about those things. But what I've done is developed guidelines to support that criteria, and I hope to take it to the Advisory Committee in their November meeting and have them start reviewing that, and possibly get it to the Board in December or January. That's a very tentative, if all goes well kind of plan, but that's what we're shooting for.

ASSEMBLYWOMAN LA FOLLETTE: What time are you shooting for as far as the grants are concerned? Providing grants.

MR. STRICKLER: Providing grants.

ASSEMBLYWOMAN LA FOLLETTE: Grants available.

MR. STRICKLER: The real world time is probably into 1990, that's probably the real world time. Probably because of the factors that there needs to be \$2 million in that fund before a loan or a grant can be generated. And so, I think the evaluation process, I'm shooting to start taking applications in the middle of next year so that we can have them evaluated, have them selected, and then, when the money, the \$2 million is reached and the grants program is engaged, then we'd be able to have candidates at that point in time.

ASSEMBLYWOMAN LA FOLLETTE: How much money is in the account now?

MR. STRICKLER: There is nothing in the account now.

CHAIRWOMAN TANNER: That's right.

MR. STRICKLER: Right. So they have until July 1, 1989, to make the first payment in some point in time, after that \$2 million will accrue and then we can kick this thing off. But we are working very hard to get all the ground work, all the substructure to that project completed so when it does kick in, we're not having to sit around and twiddle our thumbs for any point in time. So that's very important to us.

Other items that we are currently doing is that, I have worked with the planning section, and the planning section has developed language that will go into the enforcement regulations talking about what counties should have this basic elements in a household hazardous waste program. That is something that has gone to the Board, it's in the stage of public review.

I'm simultaneous working on developing some regulations to talk about load screening aspects for operators so as that stuff comes through we can get a real feeling for what a load screening program should be doing to pull that material out. And that might incorporate going back even to the collection, back to the curb. I've seen a couple of models that address...

CHAIRWOMAN TANNER: How would they do that?

MR. STRICKLER: Well, the model that I have seen, appears to heavily train the collection person to do a screening of a can as they put it into the truck. And that if they can pick it out, see it, recognize it, to leave it on the curb or to send it back. It's not clear, it's not specific, but it is a model and I think there is an element of doing both that with the

residential stuff, and then having subsequently, something at the landfill, a screening program for landfill.

CHAIRWOMAN TANNER: I feel that there ought to be an education program before we start leaving peoples trash on the sidewalk.

MR. STRICKLER: Absolutely.

CHAIRWOMAN TANNER: I think that somebody would get in trouble somewhere.

MR. STRICKLER: Absolutely, Yes. I was just trying to give you a scope of what we're simultaneously doing. I think this whole thing is contingent on public education, and on education of the counties and the cities, and the direction that we want to move this thing, so let me disclaimer that right up front as we talk about these other items.

Our AB 1809 and AB 2448 related, I believe that that would be the only way that they could function effectively if they are closely related. So that grants, and screening of grants, and criteria, and guidelines would incorporate the ideals of public education of local enhancement of gathering and collecting hazardous materials, and yes, they are very related in my mind and in the grant skylines have reflected that. I think they're also related a little bit to the 2948 process. So that we can start talking about what is termed minimal quantity producers that are producing something less than 100 kilograms a month, 22 pounds, something like that, and how we can incorporate those and the Eastin bill addresses that, and I had a responsibility in the guidelines to address it and it is addressed. I will be speaking

just to give you an idea, tomorrow, with about 15 counties, Region Ones counties about household hazardous waste programs, about funding, where we maybe going with these issues. In Stockton I'm scheduled to speak over the next month and a half with two more of those groups, around 15 counties each, to talk with planners who have been involved with the 2948 process. So, that's another element we have to bring in and tie up.

CHAIRWOMAN TANNER: That's great. That's much more encouraging, I'll tell you. That's great.

MR. STRICKLER: Let me know if you get thrilled. I'm shooting for thrilled.

CHAIRWOMAN TANNER: Don't say it again.

MR. STRICKLER: Okay. Staffing, I may be a little redundant, but we do have five people on board, two of them are administratively assigned. I've developed a BCP we're working very hard on getting that BCP through. I think it's important that we maintain those two bodies and that we have two additional bodies to handle the 2448 program which will be a big program. And so, we are working very hard on that.

Simultaneously, we have a person assigned under that for technical development of documents, of review, that person is reviewing some of the 2948 plans that are coming in to the Board. We're making comments, we're looking at them. He's also in the process of developing a collection day guidelines for those counties who do not have a program and who may want to start a program. Probably many of the folks in the audience today, this is elemental stuff to them, they did this three and four, five

years ago, but that's not the full experience of the counties in California. So we need to fall back to square one, bring everybody on that page and move forward simultaneously with more complex, comprehensive programs.

An overview of the cities and counties as we see it, the first thing I did and the first thing that the staff did when we got our feet on the ground, was to start making contacts with each one of the counties to identify who handles information requests about household hazardous waste at the county level, who is going to be our lead person when we develop guidelines or if we want to circulate information or if we want information from the county, who do we call? We've got a data base up, that's the basic premise of the data base, but it collects a lot of other information that we hope to collect. So, I'm really very proud of that. And we have a reference library up, we're tied in with UC Davis, and we're able to exchange materials, we intend to make this something like a lending library as we get in a little farther into the program.

There are 20 counties -- this is what our survey reveals, and I want to disclaim a little bit of it because I don't know that our information system is 100 percent effective. I think it's very effective, very accurate, but I'm not exactly sure.

We have 20 counties with periodic programs last year, they had at least one collection day. We have four counties with permanent facilities and doing periodic collection days simultaneously, real advanced counties. We have 34 counties in

the planning stages that have not held a collection day. And we have eleven independent cities that are conducting their own programs, and I believe the city could probably be a lot larger number than 11, but I don't exactly have the information at this point in time.

Interaction with DOHS was a question you brought forward. I am working, and my staff is working very hard to work at staff level with DOHS. We've made connections with the permitting section, and with the section that handles the 2948.

CHAIRWOMAN TANNER: Actually, we usually say the Department of Health Service.

MR. STRICKLER: Okay, excuse me.

CHAIRWOMAN TANNER: Maybe somebody out there doesn't know.

MR. STRICKLER: I'm an old hand with CAL OSHA, so we always said DOHS.

CHAIRWOMAN TANNER: Yes.

MR. STRICKLER: I'm sorry. The Department of Health Services. And they have been very helpful, very supportive and willing to work in partnership with us at staff level. That's very encouraging, I think we've been able to produce a fact sheet for them that they used at a recent public event in Chico, and that was nice, that was good for us. And they've also got us a spot on the agenda's to talk with the planners who are putting the county-wide hazardous waste management plans together, and that's real important for us.

We met the lead person for the household hazardous waste

variance process at a collection day in Davis, this Saturday. I had a good chat with him, and he was really doing a great job out there on behalf of the Department of Health Services.

I think the last item that was raised in your letter was, response to public inquiries. How we handle that at this point in time, is we, I hope the committee is aware, we have a recycling hot line that addresses any recycling issue from anybody in the state who want's to call and talk about it, wants information on where to take their recyclable products. They have been handling used oil request over that hotline for a long period of time, and we've connected with them to be able to disseminate information on collection days, on county hotline numbers, on county representatives that would be able to provide them a little more information on the theory that handling it at the county in the long run is going to be the most effective way to develop recycling programs, and to get the public knowledgeable of what's going on rather than calling Sacramento. I'm saying that because I don't want it to appear like a pass the buck kind of approach, it's more of trying to bring it down and to simultaneously start giving support to the counties to come up with these kinds of answers. So that's very important to us.

Special problems on special waste. I try to deal with it myself or the technical person on asbestos, on dioxins on PCB's. If we can't, we have good referral services to DOHS and they seem to pick it up, correction, they do pick it up and they do handle it effectively, I think, and we've gotten a couple of calls back just to say thanks for connecting us up with the right

people.

Basically, that's what we have right now, and some of it, you know, I need to work a lot harder, I believe, to get a program that is a little more consistent and a little more focused. But we're tackling a number of issues simultaneously, and as everyone probably knows, you can make a little bit of ground in each one of those issues, and I prefer to do that than make a lot of ground on one particular issue right now because we do need a comprehensive look at Household Hazardous Waste Management in California.

CHAIRWOMAN TANNER: I'm very encouraged to hear that you are working on it and to hear what you're doing, Mrs. La Follette.

ASSEMBLYWOMAN LA FOLLETTE: Actually it does sound like you're doing a lot of talking and a lot of meeting with various local entities. I get the feeling that, that's what you're doing, is a lot of talking. And I recognize that you have to have the support of the various local entities in developing some kind of a program that's going to be effective. When can we -- you're developing guidelines now, right, for the state?

MR. STRICKLER: We're developing guidelines that can be used in the AB 2448 grants program and it can be used statewide, yes.

ASSEMBLYWOMAN LA FOLLETTE: Are you overseeing these in any way, the local collections that are going on presently or are you just learning by observing them? Who's in charge?

MR. STRICKLER: Who's on first I think is the question we have right here.

ASSEMBLYWOMAN LA FOLLETTE: That's easier to answer, frankly, who's on first rather than who's in charge here.

MR. STRICKLER: Right. At this point in time, the county is the lead agency and we are working to develop some confidence with counties that we can either be partners or leaders. I think that that's a real important...

ASSEMBLYWOMAN La FOLLETTE: Well, what's the state's role?

MR. STRICKLER: I think the state's role in this case is to facilitate the growth of Household Hazardous Waste Management Programs. I think that that's where the...

ASSEMBLYWOMAN LA FOLLETTE: Without any kind of perimeters.

MR. STRICKLER: No. I believe that we are working on guidelines so that the 34 counties who don't have any growth at this point in time, won't make some of the mistakes or have some of the problems that the other counties have already worked their way through. And that's where I think my focus is at, and I believe, that's where the Boards focus is, is to build a practical program off other experiences.

CHAIRWOMAN TANNER: Don't forget about the grant program when you're responding to Ms. La Follette because that is at stake.

MR. STRICKLER: Right. The grant program is sort of the driving force at this point in time. It's, in my mind, the logic is that, if you come in asking for a grant, you need to know what the guidelines are for the grant, and the guidelines are to

relate to what we're doing consistently throughout the state. There has to be some play in those guidelines though, because we do have people who have had no program, no funding, never did a household hazardous waste, they don't even know there is a problem. With people who have a Permanent facility who have been doing it for five years who are professional, national authorities in Household Hazardous Waste Managements Programs. But your point, I think, is do we develop guidelines, do we have specifics? Yes, we're working to do that.

ASSEMBLYWOMAN LA FOLLETTE: And when did you plan to have those ready?

MR. STRICKLER: I plan on having -- for the AB 2448 committee, the specifics of the guidelines related to the grants programs. The guidelines related to collection days, related to funding, to liability, we have a draft copy of those right now. We anticipate taking that draft to the Board next month so that they can look at, see the direction, see if it meets their direction, and get their support for where we're going on this particular program.

ASSEMBLYWOMAN LA FOLLETTE: Will we receive any kind of a copy of that draft document or the final approval? I mean, to me this is really a critical issue. This is an issue that affects people right in their neighborhoods and my neighborhoods. And of all the constituent calls, this is probably the most vexing call that we get and the most often that we are called concerning, they're becoming increasingly aware that a lot of their household products are hazardous, have been defined as hazardous, and they

want to be good citizens, and they want to know what to do with it. And frankly, getting answers is really difficult. And so, I think the more you can do to keep us informed and the quicker we can get some kind of a resolution so that at least we can let the people know that we are concerned about this problem too, the better. So I would hope that you will keep us informed, because if we feel the Waste Management Board is moving too slowly, I think that we're going to have to do a little pushing there.

MR. STRICKLER: Let me address the issue of who gets notified and what happens. Having worked with other state agencies on other state programs, I think being able to have confidence, that if someone calls you you can give them an answer, they know what you can and can't do, is very important. Confidence is really the essential of a program like this because it's voluntary in a lot of applications.

So the data base that we put together was intended not only to capture an overview of what's being done in the field, but to be able to have a record of who the players are. Who wants to know what's happening in Household Hazardous Waste Management. When guidelines come out, who needs to be on that list to look at them. Not just the cities, obviously the cities and counties, because they're the ones eligible, but there are peripheral people involved in the private sector, in the public sector, in the legislative sector, in a number of different sectors. So that data base is intended to provide, to assure me, that if you wrote me a letter or if you called me and said Dave I want the guidelines when they come out, there will be something -- a tick

mark that I'll make that you got a copy of the guidelines asking for your input because that's part of the development of the grant guidelines too, is to get public input. So I'm clearing sort of the administrative approaches, and we land on the public and that's the public out there and they'll get an opportunity to comment on those guidelines, and give me their thoughts on them and give the Board their thoughts on them.

CHAIRWOMAN TANNER: Then you will make arrangements so that we see copies of the guidelines.

MR. STRICKLER: Following this meeting all the committee members will be put in the data base and stand by for paper flow because we're generating a lot of stuff right now, and hopefully, it's not all talk.

CHAIRWOMAN TANNER: Well, I don't want to be getting a paper flow and I don't think any other member of this committee want's to get a paper flow. I think what we want is information direct, concise and we don't want the same thing that you're going to be sending -- a paper flow is practically junk mail as far as I'm concerned because there isn't time to read a stack of papers and documents that high. Please...

MR. STRICKLER: I guess we have a different definition of paper flow. I didn't mean to say that you were going to get every memo I generate about every issue, but certainly guidelines, collection day guidelines, that...

CHAIRWOMAN TANNER: Well, it frightened me when you said a paper flow.

ASSEMBLYWOMAN LA FOLLETTE: Actually it made me think of

recycling and waste.

MR. STRICKLER: Well, I don't want to frighten any of the committee members.

CHAIRWOMAN TANNER: You see we were all thinking, "What?"

All right you can continue. We're going to have to move along.

MR. STRICKLER: Okay. Please. I would like to turn it over to Chris Campbell, if I could, and have him talk about public information because we have not really gotten into that issue and he certainly is our top gun on that particular point. So, please, Chris if you'd take it over.

CHAIRWOMAN TANNER: Chris, would you identify yourself and then take over.

MR. CHRISTOPHER CAMPBELL: Certainly, Assemblywoman Tanner, my name is Chris Campbell, I'm President, California Partnerships, Inc., 355 South Grand Avenue, Los Angeles, CA. I want to thank you and the members of the committee for extending the invitation to speak to you today to let you know a little bit of some of the good things that are going on with regard to the California Waste Management Board and its efforts to develop a more comprehensive approach to public awareness and public education. I'd like to take it in context too, considering, with respect to your early comments concerning the implementation of AB 1809. That, Mr. Strickler, for all of the things that he has just shared with you, has been on staff now, I think, just a little more than 90 days. Am I right?

MR. STRICKLER: Somewhere in there.

MR. CAMPBELL: About 90 days. And so, in considering it in context, the amount of work which has been done, the amount of infrastructure building which is going on right now, has been tremendous and we have been very very pleased with the level of communication, and the level of effort, which the Board has extended on this issue.

CHAIRWOMAN TANNER: Ms. La Follette.

ASSEMBLYWOMAN LA FOLLETTE: I'm sorry, I feel prompted to say that you can sense our frustrations, and since you've only been there 90 days, well then, please understand my frustrations are not directed towards you, but that will give you an idea of how we feel, and so, it sounds like you've been doing lot's and lot's of work since you've been there, and I just want you to know that we want you to do lots of work and even more.

MR. STRICKLER: I understand that. Thank you very much for saying that.

MR. CAMPBELL: The current public awareness effort that our firm is involved with on behalf of the Board, is a direct outgrowth of a conference which Assemblywoman Eastin spoke at last year, and which brought together over 400 people in Los Angeles from business, government, the citizen consumer sector, to discuss some of the issues and challenges facing us with respect to the question of waste management as we move into the 21st century.

I believe all of your offices have received copies of this summary of proceedings under separate cover. And one of the key findings in this summary is that, increasing public awareness

is a critical pre-condition into gaining the necessary public understanding and support which is required for the development of an integrated waste management system. A system that involves an emphasis on reducing waste at its source, recycling those products which can be recycled, and ultimately, taking the necessary action to create those facilities which will be needed for the treatment and disposal of those residuals which remain in the process.

And carrying forward on the recommendation of increasing public awareness, the Board subsequently came forward with a contract to develop a pilot public awareness program that would seek to involve some of the resources and some of the organizational support which was found in this conference last October.

CHAIRWOMAN TANNER: That was a year ago.

MR. CAMPBELL: A year ago, in fact, October 23, 1987.

CHAIRWOMAN TANNER: Well, Delaine, maybe you woke them up, we couldn't do it. Go ahead.

MR. CAMPBELL: In any case. The pilot effort which we're undertaking now, and have been undertaking for the past several months, involves the creation of what I would like to suggest, can be summed up by the development of access, "ACCESS", and I'll go through that in a few seconds to give you an overview as to what we're trying to do through this partnership effort, and at the outset we sought to develop accomplishable goals.

Very often there is a desire to solve the problems of the world at once, and when that happens, often times some basis do get missed and some of the necessary infrastructure building

that's required for long term success is overlooked. So what we try to do at the outset, was develop accomplishable goals. In that context, three counties were selected, if you will, for preliminary inquiry as to their willingness to work in a cooperative fashion to either augment existing programs or to assist in the development of new pilot efforts.

CHAIRWOMAN TANNER: Which counties?

MR. CAMPBELL: Los Angeles County, Orange County and San Bernardino county.

In that context then, after assessing the local jurisdictions desire and interest in this, we set about to develop a process of coordination, whereby we could bring together resources from the private sector, matching them to the needs of the local jurisdictions in a way that gave preeminence to, and placed first value in the local jurisdiction's prerogatives as to what needs they might have.

And, what I'd like to then say, is that we've sought to develop an exchange of ideas and resources as between the public and private sectors to create various and sundry materials that I'll discuss in a few seconds. And we have developed a process of the sharing, if you will, of both the things that have gone very well, and for the things that have gone a little less than totally well.

By combining all of these efforts we believe...

CHAIRWOMAN TANNER: Sharing with those counties or cities that...

MR. CAMPBELL: Not only with those counties and cities,

but also with those representatives from the local elected official community, with those from the private sector, and from those within the local and state agencies responsible for this particular activity, creating an atmosphere of win, win, if you will.

And we believe that all of these things when taken together will ultimately lead to a successful pilot program with recommendations.

And what I'd like to do is just very briefly discuss some of the things that we have done in those counties that I've just mentioned.

CHAIRWOMAN TANNER: Before you do that, I'm wondering. You know, we have seen pilot programs delay the program itself.

MR. CAMPBELL: Yes.

CHAIRWOMAN TANNER: We've seen that, all of us have seen that for years, and years, and years.

MR. CAMPBELL: Right.

CHAIRWOMAN TANNER: Now I would hope, Mr. Strickler, that the pilot program doesn't delay a statewide or the Board, for instance, helping out any county throughout the state or just keying in on those three counties. And lets wait and see what happens with those three counties and another couple of years go by.

MR. CAMPBELL: Yes. I think...

CHAIRWOMAN TANNER: You know. So, explain to us about the pilot program versus the entire picture, okay.

MR. CAMPBELL: What are the critical elements of this

pilot effort from our perspective, was the establishment of relationships, for one of a better term, the networking of organizations and resources which, while we would all think would be a natural element and a natural thing to do, requires a certain level of coordination to gain some experience. And so, one of the primary things that we were responsible for was the coordination of resources to specific county needs, and that has been one of the key things which we believe we've accomplished through this program, is accessing major corporations with local government agencies both having the opportunity to assess how that process is worked, and I can, I think, assure you from our perspective and from what we've heard so far, that it has been going very, very well.

Let me just tell you a little bit about...

CHAIRWOMAN TANNER: Okay.

MR. CAMPBELL: ...what we've been doing and give you some idea.

Los Angeles county was implementing its first Household Hazardous Waste Collection Program after several years of working towards that goal. And in conjunction with their pilot effort, it was determined that a modest contribution of additional resources for getting the word out would be appropriate. To that end, we worked with Chevron U.S.A. in the production of additional materials, one of which you can see here, Hazardous Waste from the Home, a book which you've seen before, Chevron's contribution has been the actual acquisition and assistance and distribution of this material. It has been distributed at the three collection

programs which the county has undertaken to date and will be distributed at the last two which are scheduled for the end of this month and then, I believe, in November.

In addition to that, the county of Los Angeles moved forward aggressively, and I don't want to steal their thunder in telling you some of the things that they've done, but in the production of fliers which have also been distributed through local utilities and through other neighborhood association, neighborhood based activities.

CHAIRWOMAN TANNER: Throughout the entire county of L.A.?

MR. CAMPBELL: No, no, no, through the pilot project areas, and as I understand, primarily the unincorporated areas within the...

CHAIRWOMAN TANNER: There are areas within those three counties?

MR. CAMPBELL: Yes. Yes there are.

CHAIRWOMAN TANNER: Describe those. Can you?

MR. CAMPBELL: I'm a little at a loss in terms of all the specifics, I can tell you they have been advertised.

CHAIRWOMAN TANNER: Well then the counties can describe them.

MR. CAMPBELL: Yes.

CHAIRWOMAN TANNER: Okay. All right.

MR. CAMPBELL: Okay. With regard to San Bernardino County, Southern California Edison has worked in a cooperative fashion with the San Bernardino Department of Environmental

Health Services, to develop additional awareness of their high desert collection centers which are centers that, while San Bernardino has a very established program of Household Hazardous Waste and Collection, these were centers that were not obtaining too much use due to proximity location or what have you. So, in a coordinated effort that involved press releases, that involved staging of a media event, that involved production of additional fires and brochures, in fact, just this past Saturday a program was held with support from Southern California Edison, that as I understand it, increased participation in those centers somewhat dramatically.

Finally, in Orange County we are working with the Orange County Fire Department, which is serving as lead agency on their Household Hazardous Waste Program, to explore the production of a video which will detail the experiences of the County of Orange in which we'll have a generic application to other jurisdictions, in terms of why household Hazardous Waste Programs benefit the community, how they come to past, what needs to be done to improve the effort. And we're looking to get that project moving forward no later than this December.

It's worth noting that although we came to Orange County early in this process to see about their interest, they were unable to move forward due to the fact that their staffing situation was such that they did not have the resources, and the manpower resources to devote to this kind of an effort.

While that cyclical process is winding itself to the point where we will be able to work with them in the development

of the video, I think it is worth noting, that in getting the word out, local jurisdictions are oftentimes hampered, especially in the smaller communities with respect to their in house public information component.

So, what we've attempted to do is to develop three modest efforts that establish relationships, and establish experiences which can be replicated, and which we intend to bring back to the Board in a final report, November, December, that will in turn, we hope, serve as the basis for gaining follow up support and an expansion of this pilot effort in a timely fashion, so that we can continue the momentum which was developed last year.

CHAIRWOMAN TANNER: Mrs. La Follette.

MR. CAMPBELL: Yes, Ma'am.

ASSEMBLYWOMAN LA FOLLETTE: I need to ask a question. Did you state whether you're under contract to the Waste Management Board?

MR. CAMPBELL: This is correct. Our firm has been retained by the Waste Management Board.

ASSEMBLYWOMAN LA FOLLETTE: And you're primarily a -- what kind of a firm?

MR. CAMPBELL: Our firm is a coordinated public, private partnership organization. We have interest in energy, environmental and land development.

ASSEMBLYWOMAN LA FOLLETTE: So you've had experience in this area in which you're working now.

MR. CAMPBELL: Very much so. I think you should also note, that in conjunction with our other activities, our firm also

represents, and I serve as Executive Director for the Southern California Coalition for Hazardous Materials Management, an organization which many of you are familiar with.

ASSEMBLYWOMAN LA FOLLETTE: Okay, thank you.

MR. CAMPBELL: I would also note that it is in part due to that support which we've received from the coalition, which is an adjunct to the Regional Institution of Southern California, and is affiliated in the private sector since with the Southern California Hazardous Waste Management Authority that we've been able to move very expeditiously in the building coalitions.

CHAIRWOMAN TANNER: We're going to have to move more expeditiously right now.

MR. CAMPBELL: I'm done.

CHAIRWOMAN TANNER: Okay.

MR. CAMPBELL: Any other questions?

CHAIRWOMAN TANNER: Any questions? Thank you both.

MR. CAMPBELL: Thank you.

MR. STRICKLER: Thank you.

CHAIRWOMAN TANNER: I'm glad you're here, I am hoping things work out well.

MR. STRICKLER: Thank you very much.

CHAIRWOMAN TANNER: From the Department of Health Services, from DOHS, what is it, from the Department of Health Services, Ted Rauh, Chief, Program Policy and Evaluation Department.

MR. TED RAUH: Thank you, Madam Chairwoman.

CHAIRWOMAN TANNER: Oh, and Jim Allen, oh, okay.

MR. RAUH: I've asked them to join us since they came over with me today, Jim Allen, who is Chief of Alternative Technology Section, and Karen Woodhouse is the Senior Technical Advisor.

CHAIRWOMAN TANNER: All right.

MR. RAUH: We appreciate the opportunity to provide responses to the questions the committee asked Alex Cunningham. Unfortunately, Alex was in Washington today and unable to attend, so you have us before you to provide those responses.

What I'd like to do is try to -- thank you -- I'd like to go through each of your questions providing a brief...

CHAIRWOMAN TANNER: Summarize the question.

MR. RAUH: All right. And then afford you an opportunity to ask clarified questions which the three of us will handle as appropriate.

CHAIRWOMAN TANNER: Okay.

MR. RAUH: The first question dealt with the departments role in issuing permits and variances.

The Department regulates Household Hazardous Waste Collection Programs and facilities in the following ways:

Any permanent Household Hazardous Waste facility must have either a hazardous permit or a variance. There are several facilities in the state now that are either operating under a variance or a permit issued by the Department.

The Department routinely issues variances or conditions on the operation of one time or one day collection facilities that are principally sponsored by local government. We receive about

50 to 60 of those annually, and they're handled at the regional offices and provide what amounts to a variance for a one time operation for local governments.

CHAIRWOMAN TANNER: Is that a rather simple thing for a county to get taken care of.

MR. RAUH: We're making it more simple.

CHAIRWOMAN TANNER: Are you?

MR. RAUH: And as I get into that, I think others will say it's quite difficult. But as I get into it, we've been working with representatives of local...

CHAIRWOMAN TANNER: It sounds so good, you know, when you hear it.

MR. RAUH: Yes, it sounds good, but it's not a perfect situation that's for sure.

CHAIRWOMAN TANNER: Tell me how a county goes about getting this variance.

MR. RAUH: Basically, what would occur is an initial discussion with the regional technical staff, in which the regional staff now would be able to provide specific information about what's required in terms of an operation plan, how to protect, how to lay out the equipment, how to manage the waste that might be received. The county would indicate the types of waste it's going to receive. The kind of employees that would be there. What disposal approach would be used, and so forth.

That would be documented in a plan or a written plan provided by the county to the Department. The regional staff would review it...

CHAIRWOMAN TANNER: Does the Department have a document that would go to any county and a county could fill out or does the county have to put together a program and then send it to you? Do you have a document that...

MR. RAUH: We have recently developed, with the Waste Management Board, a draft operation plan. And that is in existence, and it's being used on a trial base by several of the regions and we're collecting information on it. When it's determined that that's comprehensive enough and usable, then we will be applying it on a statewide basis.

The regions that aren't using it have processed enough of these that they are able to communicate, I think, we hope any way, the same kind of consistent approach to the counties they're dealing with. But this plan has only been in existence, I think, for several months so we're at the stage of moving in that direction so that we will have both the standardized operation plan and criteria by which we evaluate it, so everyone will know what makes sense for a one day application.

I think Jim had a question:

MR. JIM ALLEN: Yes. Maybe just a little practical experience in that...

CHAIRWOMAN TANNER: Identify yourself.

MR. ALLEN: Yes. I'm Jim Allen, now Chief of the Alternative Technology section for the Department. And I was Chief of what is called Region 1, previously known as the Northern California Region.

We in that region did issue quite a number of variances,

and we found that after a while these became more of a routine kind of thing, and we're able to provide quite a bit of guidance to the counties. A county that has never done this, comes in, asks for a variance for a one day collection program, particularly some of the smaller counties, it takes a little while working with them to get the kind of plan we need to be able to approve a variance. But once a county has done that once then the, you know, future variances, Yolo County, Sacramento County, a number of them have done this quite a number of times and then issuing the variance for each day becomes a fairly routine matter.

CHAIRWOMAN TANNER: I'm wondering if a county, if any county, or how many counties became discouraged because they couldn't get a variance or didn't have the resources to spend the time asking the Department for assistance, didn't have the resources to put together a program, you know, with very little assistance. I know there's been very little assistance from the state. Are there counties who have attempted it? Do you know Jim?

MR. ALLEN: I don't know personally of counties, you know, counties at least in my region that had become discouraged. I know that there were some we had to work with, probably more than we really had time to do, but we were able to get them on board.

MR. RAUH: In talking with the other regions in preparation for today, I was not able to determine of another county elsewhere in the state that just refused to participate. However, I think that there is a concern about the degree to which

it's difficult to get a permanent facility under our current approach. And so, the tenancy is to go to these one day approaches because everybody knows or is learning that system. So, we've made some progress there, but we don't necessarily have the same kind of progress in moving expeditiously through a permitting process for a permanent facility.

CHAIRWOMAN TANNER: Ms. Eastin has a question.

ASSEMBLYWOMAN DELAINE EASTIN: Has anybody been permitted?

MR. RAUH: Yes there is one permitted facility that I'm aware of.

ASSEMBLYWOMAN EASTIN: Where is that?

MR. RAUH: I believe that's in San Francisco.

UNIDENTIFIED MAN'S VOICE: No, San Bernardino.

MR. RAUH: Excuse me, San Bernardino.

ASSEMBLYWOMAN EASTIN: And from that permitting experience, have you been able to extrapolate some process whereby other counties could become permanently permitted?

MR. RAUH: The way we're trying to approach the problem is to look at ways to streamline the permitting process. And I think that the guidelines that have been developed, the variance approach that's been developed, could be applied in a standardized approach that would reduce the amount of time it takes to permit these facilities. This is a new area that the state is just looking at now for many of the facilities that we regulate that aren't covered under the federal regulatory scheme.

We have five such types of waste management problems

we're addressing. This particular problem is one that isn't being worked on right now for a couple of reasons.

One, we think that some of the other problems we're addressing, such as waste oil recyclers, chop shops, drum re-conditioners, precious metal recyclers, pose a more immediate and known, anyway, environmental and health hazard in the areas where they're operating.

But the lessons we're learning there, plus the work we've done with the Waste Management Board, can be applied to this problem in the future. We only have, at this point, the resources on the state side to focus on these five and that's what we're pursuing.

ASSEMBLYWOMAN EASTIN: I think the key there then, is you only have the resources. It seems to me that while the other things that you've named are very important to me, and I'm sure to the rest of the members of this committee, drum recyclers, waste oil, people who are not playing by the rules, those are all serious concerns, and we support your dealing with those. At the same time, if I were PG&E for example, I wouldn't say, well I'm not giving power to those new houses out there because you've got some other people that have need for power for their new companies. In other words, if you were a private company, we decide that we have a series of customers we have to serve and we serve them all. And so, it seems to me the state of California should be setting aside additional resources so that rather than having to have you choose between your various children and your various needs or your various customers, you can deal with all of

them. I mean, it seems to me that you ought to tell us today what resources you need to be able to finish those other very worthy projects, but in addition, to do this one. What do you require in order for the Department of Health Services to do this project which we consider also to be important.

MR. RAUH: I don't know that I can provide you a specific PY estimate of what it would take to permit these facilities.

First of all, we do not have, in the case of the permanent facility, we don't have, that I'm aware of right now and I can find out for the committee, a backlog of permanent facilities wanting permitting. As I said, I think what they've recognized is that a path that they can work within our regulatory framework is the variance approach, so that's now what they're doing. Without knowing what the universe is out there or what the efforts of this committee and the Waste management Board will stimulate in terms of the education programs and other things that you were talking about earlier, I don't have a good sense to tell you whether it's two PY or five PY, what that resource might be.

CHAIRWOMAN TANNER: It's my understanding though, that because of and due to AB 2948 the Hazardous Waste Management Planning Program, many, many counties are looking at the possibility of citing a facility. Are you aware of that?

MR. RAUH: Yes. And I think when those plans are in, that's probably the best data point I'm aware of, that will give us an idea of, not only new estimates on the volume of this problem, because they are assessing what they project to be the

volume of household hazardous waste, but also as you point out, the facilities that they feel maybe necessary in their county. I believe those plans are coming in in February and perhaps Dr. Allen can comment on that a little bit more. But that would give us a far better sense of what the universe is and what resource it may take to meet that need.

Right now, if I can just say one last thing. I am not aware of our not being able to meet a variance request, at least in the recent past, within the timeframe that a local community or county want's to hold the day. We have placed a very high priority on satisfying the variance request in the regions, because obviously we want to reinforce the importance of the public education and public management of this problem, and obviously we want to be responsive to local governments who are trying to manage this waste.

So, we do move those in the top of the queue and we get them out so that at least the program can continue to operate as it is under the current situation.

CHAIRWOMAN TANNER: And to Ms. Eastin's question then. We would like to know, in fact, we insist that we know what resources you need to do a complete and good program? And, also when we request those resources in the budget this year, we would like to see you stand behind those request. If you need a certain amount of resources and we provide that in the budget, or with legislation, then we would expect you to stand behind that.

Ms. Eastin.

ASSEMBLYWOMAN EASTIN: Just to reinforce the Chair's

point. I think the key is that if you have to do a variance every time, what you're essentially doing is putting the burden and the cost on local government, to reinvent the wheel each and every time they want to do this. And to whatever extent we can, we can systemize this and routinize it and make it something which is ongoing. We cut the cost to local government which it seems to me is the responsibility of the state of California, in addition to which we ensure that we are even handedly administering this program statewide.

And I just feel very strongly that that's one of the way -- you know, it seems like we're pushing more and more responsibility on local government without really, frankly, giving them the tools to do the job in many instances. Here is an opportunity for us to, you know, make this systematic and allow them to proceed in a more orderly fashion.

MR. RAUH: I understand.

CHAIRWOMAN TANNER: Okay. You want to keep going.

MR. RAUH: Yes. I think we've covered a number of the questions one way or the other, so I'm going to move fairly quickly. We've covered question two, which was difficulties encountered in issuing variances and permits. Moving forward.

Question three, was the department routinely responding to inquiries, and I'll summarize quickly.

The regional office staff do receive inquiries from householders requesting information about these days and opportunities to manage their waste. They are either referred to the toll free number to local agencies that we're aware of who are

managing a day. Or if the question is a technical one, in terms of do I have a household waste problem, they're referred to Dr. Allen's' program for a hazardous waste classification determination or at least a discussion with the householder on the problem.

In effect, we attempt, also, to be sure that the regional staff are aware, at least the regional contact point people for phone coverage are aware of what household recycling activities or household waste pick up activities are going on in the region so that they can provide as much first hand information as possible.

CHAIRWOMAN TANNER: Is there a problem or a conflict between the regional offices and the solid waste people? For instance, does the regional office of the Department of Health Services say, well that's a solid waste problem and it has nothing to do -- or we don't handle that problem? Is there any of that? How do you coordinate with the solid waste?

MR. RAUH: I'll let Jim bring a personal perspective to it. I'll just say as a general perspective, I think that the department recognizes that the Solid Waste Management Board does have lead over the general program.

CHAIRWOMAN TANNER: But you permit.

MR. RAUH: We permit when the waste is taken out of the solid waste management stream and is going to be collected and handled separately. To that extent, what we try to provide individuals is specific information about opportunities to do that that we're aware of. And we're aware of those because people come

to us for a variance or permit. We also, of course, refer them to the local communities directly, who are actually operating the centers. So we do refer, but it's hopefully, in a positive vein.

We also are aware in the regional offices of the toll free number that was referenced earlier by the first speaker, which does provide sort of a statewide overview of what recycling activities are available, and that number is also given out by the Department of Health Services, and if the question is a health related one or do I have a problem type one, we try to respond technically to that as well, Jim.

MR. ALLEN: I think Ted summarized that quite well. I'm not aware of any difficulties we had, at least in my region, with the Waste Management Board, I think we worked pretty closely with them. As Ted indicated, we worked directly with the counties and cities that, excuse me, were attempting to set up their collection days, and once those were INAUDIBLE established fairly routinely, there was probably very little interaction we had with the Waste Management Board or the counties after that other than processing the variance request and referring people to the proper authorities in the county. Again, once a county had done this and had someone assigned to that, it became a fairly routine kind of operation and fairly streamlined. But again, in answer to the direct question, I'm not aware of any difficulties or overlapping we had with the Waste Management Board.

MR. RAUH: The fourth question dealt with how much time do the regional permitting staff devote to household hazardous waste activities.

Our assessment currently, is that there is about a half a PY statewide, dealing with hazardous waste variances for household waste problems. Excuse me, let me clarify that. It's not even that good, let me back up here.

We have about a half of PY handling variances for household hazardous waste. I am correct.

CHAIRWOMAN TANNER: Statewide?

MR. RAUH: Statewide. Spread out between the four regions.

MR. ALLEN: To give you a little better perspective on that. There is roughly one to one and a half PY in each region for processing variance requests, and far and away the majority of variance request do come from industry as opposed to counties for collection days for hazardous waste. So, roughly, the figure is I think probably pretty accurate as far as an estimate. A half of PY is statewide is INAUDIBLE to the variance act processing, and there is other staff devoted to answering questions.

CHAIRWOMAN TANNER: And you've had request for variances from some 50 didn't you...

MR. RAUH: Fifty to 60 a year are handled by that half PY.

MR. ALLEN: Right.

CHAIRWOMAN TANNER: By that half PY? And it's done in an expeditious way?

MR. RAUH: Well, we attempt to do it as expeditiously as we can. I'm sure that when you hear from the counties there will be concern that we don't operate as quickly as we can. But some

of the things that we talked about earlier...

CHAIRWOMAN TANNER: You can only do so much with half a PY statewide.

MR. ALLEN: That's right.

MR. RAUH: And some of the things that we talked about earlier, I think, are helping that process, but it's going to take time to have those implemented on a statewide basis.

MR. RAUH: The next question, if there are no more on that, was there maybe advantages and disadvantages in combining the programs for household hazardous waste in small quantity generators. To that we have a couple of comments which I will try to summarize.

First, in the waste type there are differences. Small quantity generators may generate a more industrial type waste. For example, cleaning solvents, dry cleaning filters use printing inks while households generate primarily, consumer size containers of cleaning solutions, pesticides, paints, etc. So collection centers may expect an increase in waste and the quantities, if we were to combine the two programs.

Secondly, in terms of generation...

CHAIRWOMAN TANNER: If we don't combine the program for the small business how do we handle the small business hazardous waste? Because a small business with a couple of gallons of waste, seems to me it would be very difficult, and probably we're discouraging them from disposing properly. So, why can't we figure out a way to...

MR. ALLEN: I guess we probably need to differentiate

between small business and a small quantity generator.

A small quantity generator could be a very large concern that has really very bad stuff, you might say, coming into this program. So, I think we'd want to take a look at the waste streams involved here and maybe make some determinations on which could be combined. And, again, I don't think we're in a position to say absolutely yes or no at this point, we would want to examine the waste streams that might be involved in such a combined program to determine which might be acceptable. I think probably would be the ...

MR. RAUH: I think Dr. Allen sort of summarized where we were going with this when you looked at the wastes, composite of waste, the economic motives, and a number of other factors, you find that you really have to do this almost on a case by case basis to match up, I think, the target that you're concerned about along with a compatible program for household waste.

CHAIRWOMAN TANNER: Ms. La Follette.

ASSEMBLYWOMAN LA FOLLETTE: Yes. Thank you. Just following up on this a little bit.

We know that if we don't provide some proper means of disposal for these materials they're going to end up in our municipal landfills. And we have had indications that, of course there are, as a result, there are leachate migration problems. Do we have any exact information on the kinds of contamination that are coming from our landfills as a result of some of these hazardous waste materials being dumped in our landfills?

MR. ALLEN: I would say no we do not have any exact

information on that. We do have a number of landfills around the state that are in the bond expenditure plan as cleanup sites. We're learning case by case on a number of the sites what has been disposed in these landfills, and this isn't all just household hazardous waste, there have been illegal disposal in some of these in the past by industry, also. I wish we did have an exact answer to that, but we don't.

CHAIRWOMAN LA FOLLETTE: And actually, though, can't we sort of determine now or guess that most of these municipal landfill sites are going to end up on the Superfund cleanup list because we're not providing any kind of adequate and proper disposal means for these individuals who are generating either small quantities or household hazardous materials.

So, I guess the point is that, I feel there is a real urgency for us to not only meet the needs of the households, but also to meet the needs of those small generators, which whether they're small business or whatever they are. And so, following up on the Chairman's question, at this point I don't think it's so important that we distinguish between the two. What we're concerned about is collecting all those hazardous materials, and maybe initially we have to just understand that we're going to accept all of these small quantities no matter where they came from, and then maybe work toward some kind of a separation.

MR. ALLEN: I am very hopeful, frankly, that the 2948 plans that are going to be coming in are going to give us a lot better handle on what the actual waste streams are and some of the proposals by the counties for handling the problem that you're

describing. I know a number of these plans are going to have recommended criteria set up and possibly, at least, areas described for transfer stations as well as household hazardous waste collection points. I'm hopeful that through that rather massive and very excellent planning effort, that we're going to get a much better handle on, which of the waste streams possibly can be combine, which are decent sites for transfer stations that can handle both small business and small generators, as well as potential sites for the collection areas for household hazardous waste. I would hate for us to leap into a situation where we would say yes, just combine everything at this point in a household hazardous waste collection program. I think that would be unwise, given the wide diversity of waste streams that we're talking about.

ASSEMBLYWOMAN LA FOLLETTE: First, I'm not talking about mixing chemicals.

MR. ALLEN: No, no. I realize you're not. No.

ASSEMBLYWOMAN LA FOLLETTE: I'm just talking about collecting them in their containers.

MR. ALLEN: I know. I understand what you mean. Yes.

CHAIRWOMAN TANNER: Ms. Eastin.

ASSEMBLYWOMAN EASTIN: With all due respect though, there has been quite a delay at the department in terms of approving the counties plans. Is that not correct? Under the 2948 process certainly my counties are telling me there's been quite a delay in your department.

MR. ALLEN: I think there have been delays on two or

three of the plans I don't know exactly how many. And again, I've just been in this position two weeks. But in my region I think we had 35 county plans that we were looking at and I think two or three of those were delayed by about a month. I think all of the county plans have been reviewed in draft now and the comments are out. But I think there was a delay of at least one or two months, perhaps three months on one or two of the plans.

ASSEMBLYWOMAN EASTIN: Well, my county was considerably more than a month.

MR. ALLEN: Was it? Yes.

ASSEMBLYWOMAN EASTIN: Alameda County was.

MR. ALLEN: Okay.

ASSEMBLYWOMAN EASTIN: And I, frankly, have concerns that, well, I think it's one of the genuses, if you will, of having 58 counties is that you get 58 different ways to skin a cat, as it were. At some point, it seems to me the role of the state is to routinize this and systemize it in a way, and in fact, that the department should take a leadership role in assisting counties. Some counties like Alpine are not as well equipped to provide the kind of thorough planning in this area as a county like L.A. It seems to me that there -- you know -- I hear a lot of we hope, and it is hoped that, and it seems like the Department of Health Services has a role somewhat beyond hope in taking a leadership role and making sure that the 58 counties come up with 58 excellent plans to deal with the problems we've been discussing.

MR. ALLEN: There is much beyond hope in that regard and

the state does have, the department has a very key role in the Tanner Planning Process. We will be approving or disapproving all of those county plans. We also, under AB 650 will be coming up with a state hazardous waste management plan which definitely will be looking at all of these issues.

I guess I'm looking more at the short term right now in terms of what we can do. Ted indicated earlier about trying to routinize the permitting and the variance procedures. We're working on that. The resource estimate that you asked for, essentially relates to what we're calling a permit streamlining program that Ted described. Trying to determine how we can essentially streamline the process for various types of waste streams, and in particular, this one, household hazardous waste, how can we streamline that process so that a county has a very, you know, almost to fill in the blank, kind of an approach to being able to come up with a permanent collection program as well as single day collection type of programs. And we, again, this is not in our top five priorities for this fiscal year, as Ted indicated, but we definitely will be getting back to you with the resource allocation that we would, perhaps, need to make that a priority immediately.

But again, this is something that is on the drawing board, so to speak, in the department, and I wish we had enough resource to go around to have that the highest priority or one of the higher priorities this year, but we don't.

CHAIRWOMAN TANNER: We are going to have to move along.
Mr. Rauh.

MR. RAUH: Yes. The next question was, how is the department advising household collection programs to handle dioxin-bearing wastes.

Basically, at this current time centers were generally not accepting dioxin-based waste until very recently and we have had a change in which now under the state program non-RCRA dioxin containing waste can be landfilled in certain facilities if the wastes are lab packed. And we are advising collection centers now of this possible, well, of this actual change.

But, basically, the requirements in the standardized variance and permit, require that the local agency be or understand how to manage these types of waste. And certainly understand how to lab pack these kinds of contaminants if they're received. So that's currently what's happening with dioxin-based wastes or latent wastes.

CHAIRWOMAN TANNER: Okay.

MR. RAUH: We have an expert here who can comment more if you have any specific questions about it.

CHAIRWOMAN TANNER: You see we've questioned everything else and I think we all notice the time.

MR. RAUH: All right. The next had to do with paints and surface coatings.

I think the issue here was what kind of direction is given. They are specified. I think there are some difficulties for these types of centers handling large amounts and baring types of paints and coatings. If they attempt to mix them they may not be able to come up with a product that is either usable for a fuel

or that it can be recombined in a usable form as a paint.

CHAIRWOMAN TANNER: What does the department do to help, to assist the county or a collection center?

MR. RAUH: Well, basically, now we prescribe that paints are a toxic waste and that they should most generally be handled -- I think what we're telling them now is to manage it and handle it themselves, dispose of it themselves, not try to either become a blending center or to try to mix materials for reuse because we think it's too difficult for them in these kinds of centers, especially in a one day type setting, to be able to match all the chemicals up and make sure they have either a usable product for either end, either use.

CHAIRWOMAN TANNER: Well, do you assist those centers or the counties with any information about the dangers, the dangers of explosion, the dangers of mixing chemicals, mixing some of this waste? Do you do that?

MR. RAUH: Yes.

CHAIRWOMAN TANNER: Does that go along with your variance?

MR. RAUH: Yes it does. Part of the variance there is a requirement that there be a discussion and understanding between the county and the state of what types of materials they are going to be handling and they are prohibited from taking some.

CHAIRWOMAN TANNER: Half the PY is going to discuss with all those people, all those various collection distributors?

MR. ALLEN: I think a clarification there. As I indicated, once a county has gotten a variance for running a one

day collection program, after that it becomes a much more routine process. And I don't know how many out of this 50 or 60 per year are kind of the first time through, I would suspect not too many.

CHAIRWOMAN TANNER: Well, many, it's just new. It's been only a couple of years that Solid Waste Management Board and the Department of Health Services recognized that a great deal of hazardous waste was going into our solid waste landfills. And we've talked about it in this committee for years before anyone even paid any attention. So, I don't think that every county has done this several times.

MR. ALLEN: No, no. I guess what I was getting at, and your question kind of, I think, related to half a PY not being nearly enough to do the kind of dialogue that Ted was referring to. And what I am suggesting is that probably out of those 50 or 60 variances we do with that half PY, probably only a handful of those are counties where it's the first time through, where we have had that dialogue. I don't have a good fix on that number. But once they've been through it once, it becomes a very routine, just, you know, almost a half day to a day type of process to get a variance through for their next collection day. So I would suspect that very few of those are -- Karen you might want to speak on this.

MS. KAREN WOODHOUSE: I'm Karen Woodhouse with the Department of Health Services. That half of PY also does not include a lot of the headquarters staff that answer questions and provide information to both the householder and the people running the collection centers.

For instance, we have a resource recovery unit that spends some bit of time answering questions about how people can recycle hazardous waste. And they have in the past look at some of the problems with recycling paints both for use as a fuel and for use as a salable product in a paint.

Additionally, we have staff that answer questions about waste classification, and that is, if I have this type of paint or this type of surface coating is it a hazardous waste, this is what is in it.

And so, the people that provide this information are not counted in that half a PY.

CHAIRWOMAN TANNER: If I have something in my garage, I would call the Department of Health Services. Is that what...

MS. WOODHOUSE: Well, many people do, many people direct --

CHAIRWOMAN TANNER: No, no. Those people that you've just...

MS. WOODHOUSE: That we receive.

CHAIRWOMAN TANNER: ...you've just described.

MS. WOODHOUSE: Yes. We deal quite a bit with householders that do call in and have questions about the type of product they're using and the ingredients that are in it and whether it's a hazardous waste and how it can be managed properly.

CHAIRWOMAN TANNER: You do. You have many phone calls?

MS. WOODHOUSE: We have many phone calls. I don't know how many, particularly, from householders, but we do have one person in our waste classification unit assigned to the phone at

all times to answer questions that come in from industry and from householders and from local governments about classification issues.

CHAIRWOMAN TANNER: Ms. La Follette.

ASSEMBLYWOMAN LA FOLLETTE: Yes. I'm a little bit unclear as to what you're advising the regions regarding the disposal of left over paint. It sounded like you hadn't decided exactly what to do with it.

MR. RAUH: Well. I think at this point, the waste collection centers are disposing of it as they would do any other toxic waste according to requirements. What I was trying to get at in my comments were, and I thought that the question was whether these centers on a one day basis should try to do more with this material than just have it...

ASSEMBLYWOMAN LA FOLLETTE: Collect it.

MR. RAUH: ...collect it and have it disposed. Should they try to blend? Should they try to do some of these other things? I think what we've come to the conclusion of, at least at this point, is that there probably isn't enough sophistication in all the centers to try to do those kinds of things because of the complexity of the types of paint materials they might receive. So we're basically saying, probably not a good idea, unless you've been through it a number of times and you have the expertise.

ASSEMBLYWOMAN LA FOLLETTE: I would think that could be very hazardous in itself.

MR. RAUH: That's correct. Within the operation plans that are approved for these day centers there are barely specific

requirements, that if there is any uncertainty about the chemical or the constituency of a can or other container, they don't do anything with it until they've tested it, and they know what it is.

ASSEMBLYWOMAN LA FOLLETTE: I guess you've said, each of these centers do not have that ability. They do not have that knowledge, that expertise. So, what do they do? Then they transport it someplace else to be tested.

MR. RAUH: Well, I think, typically, they'd take a sample there and have it tested. They operate differently depending on how long the center is in operation.

CHAIRWOMAN TANNER: We'll be hearing from various counties and they can describe their programs.

ASSEMBLYWOMAN LA FOLLETTE: Yes, but I would think that the Department of Health Services would still maintain some of the liability in association with that part of -- it sounds to me like we're talking about more than just being a collection place. We're then talking about another step, the next step. Not just disposal, but a lot that has to do with a lot of expert knowledge, and I think there is where a lot of liability questions come into play.

MR. RAUH: Well, I think, at this point, with respect to these one day collection centers, we're suggesting that they be collection disposers, that they not go beyond that in the form of additional treatment or blending or something of that sort. I think that's what we're generally suggesting at this point.

MR. ALLEN: Some of the smaller counties, the ones that

do not have hazardous waste experts on their staff, typically do contract with a hazardous waste firm to assist them at the site on the collection day, and so, there is expertise there.

CHAIRWOMAN TANNER: Yes, and we should be providing that expertise, I think, but we don't. I mean, I suppose we do in some cases.

MR. ALLEN: Yes.

CHAIRWOMAN TANNER: Let's try to rap it up.

MR. RAUH: I think we've covered indirectly in my and other responses the final question which was our relationship with the Waste Management Board. So, that really concludes our remarks unless there are any other questions.

CHAIRWOMAN TANNER: Thank you. Ms. Eastin.

ASSEMBLYWOMAN EASTIN: Just one quick question. I'm curious to know where we are and I probably should ask this to the Waste Board representative. But, insofar as developing the guidelines under 2448 for reimbursement of cities and counties for household hazardous waste programs.

MR. ALLEN: All right. I think that would have to be addressed to the Board.

MR. RAUH: Thank you.

CHAIRWOMAN TANNER: Thank you very much. Our next witness will be Eugene Herson, General Manager of the Sanitary Fill Company from San Francisco.

MR. EUGENE HERSON: We'll start with a few handouts that I'd like to refer to during my presentation.

CHAIRWOMAN TANNER: Marian. The sergeant will take care

of that. Ms. La Follette will Chair.

MR. HERSON: It's a pleasure to be here. I don't know, is this mike on?

CHAIRWOMAN LA FOLLETTE: Yes it is.

MR. HERSON: My name is Eugene Herson, I'm the General Manager of Sanitary Fill Company, we're the disposal contractor for the city and county of San Francisco.

On my left is Larry Sweetser who is our Environmental Compliance Program Manager and who has spent the last five years on the household hazardous waste issue for us. So we've been into this for almost five years at this point.

Sanitary Fill is a subsidiary of Nor Cal Solid Waste Disposal Systems, and we operate for about 25 to 30 cities in Northern California and service, I think, seven counties in part or in total.

My background just for one minute. I'm a Civil Engineer, a Professional Engineer by trade, by education. I am a CPA by hobby, but I am a garbage man by choice. So, I just wanted to make sure we know where I'm coming from.

CHAIRWOMAN TANNER: Well rounded background.

MR. HERSON: Well-rounded background. Just as some personal biases. I think if you look through this program that we'll be presenting to you today, you'll notice some personal goals in there, one, that we've been impatient for the state to resolve a lot of the issues that you've heard today. So we have proceeded with our money and with the cities money, at this point in time. Two, we agreed it had to be done well because of the

overriding health and environmental concerns when we start talking about hazardous waste. Three, we had to make it simple. It has to be something that works daily and routinely. Four, I, personally and generally, have considered the state an obstacle in doing a lot of these things. So I think you'll see that. I don't mean to pick on any state agencies, but I understand that you wanted some bluntness today, so I'm going to be prepared to give it.

CHAIRWOMAN TANNER: Good.

MR. HERSON: Five, we've approached this on an integrated basis. Everybody uses the word "integrated" in this decade, but, essentially, there's three issues that we see that are coupled together, and it's hard to draw boundary lines between them: one, the household hazardous waste issue; two, the small quantity generator issue; three, the waste acceptance control programs, or exclusionary programs, that the federal government requires.

That's the attempt to only make sure that good garbage gets into our landfills and quote, "not bad". And those are all tied together, because the better job we do at screening our materials, the more quantity we're going to have to pull out and deal with, and vice versa.

So, we've looked at this along that effort trying to combine those three programs.

What we have right now is a permanent household hazardous waste collection facility. It exists in San Francisco. I've handed out a picture, and I think a picture is worth a

thousand words.

We are under a variance from the Department of Health Services but it is not a one day facility, it is open 52 weeks a year, every week of that year. It operates eight hours a day, three days a week. So, it's a permanent facility operating under a variance. It is a partnership between the company and the community. When I say we throughout this discussion, we is really the city and county of San Francisco, the Hazardous Materials Advisory Committee, the Tanner Committee, Sanitary Fill Company itself, a disposal contractor, as well as the citizens. So this has had a lot of public support and public involvement. It never could have been sold by one agency. It's gone to the Board of Supervisors many times on various policy issues over the years, and that's essentially how we've gotten where we are.

The facility provides San Francisco residents with a permanent, safe means of disposing of their hazardous waste. It's designed and constructed to what the term of the trade would be, a TSDF facility. We think it's one of the finest TSDF facilities in the state, but it is limited only to household hazardous waste, no other type of waste can go in there. Although, being conservative we've designed it to the full extent of the law.

It is a joint effort between the city. It's jointly operated, it's jointly designed, and I'll actually go through and give you -- I'd like to go through and give you an idea of what agency has what part of the operations.

In a summary, Sanitary Fill has a day to day operations, provide the personnel, the crew, and the programs. The city

assumes the role of generator and inspection, and actually signs each manifest as it goes out. We assume the role of packaging the waste and preparing them for shipment.

A brief summary of where we are. We've been in operation since January 21st, of this year. We've been increasing our programs and our communication with the community. You have before you an orange brochure which is a brochure by the city and county of San Francisco, they are called "Cans and Cannots" which went to every homeowner in the city, and you have associated with it, a billing insert that we bill every resident in San Francisco and every business. So that billing insert has gone out twice and it will go out again twice in the next six months to each resident.

During the first six months of our operation, we've had almost 25,000 individual containers of "hazardous waste" come in. That could be a pint, to a quart, to five gallons. The participants vary. We track every single vehicle coming in by zip code so we know what part of the city it comes from. We track their age, and we track a whole series of information that allows us to do a better job in implementing this program further throughout the next years.

On our first six months of operation, 11 percent of our participants were under 30, where 24 percent were over 60, and the balance were between 30 and 60. So I guess the 60 year olds get the award for being more conscious for these type of issues.

We've asked them how they've heard about the program, and 51 percent have heard it through the garbage company inserts,

20 through newspapers, 12 by word of mouth, 6 by the city agencies, 4 by radio, 4 by television, and 3 by other.

We have had about 58 percent of the material coming in to date has been paint, both water base and oil base paint. About 12 percent have been oil products and solvents and aerosols. Ten percent oil products. About 18 percent has been a combination of pesticides, cleaners, waxes, polishers, auto materials. And about two percent has been a combination of asbestos, wood products, batteries, medicine, and cosmetics.

The average number of paint containers received per day, is over 200. We receive over 200 individual paint containers per day. Some full some half full. One of the programs I'll describe is how we're managing this waste, and in fact,...

The point I should make right now, one of the goals in implementing this program from the cities perspective. City and the Board of Supervisors of San Francisco have had major influence into the direction and guidance that we as a company has taken. And that guidance has essentially said, that we should avoid landfilling these waste at all cost. So we have a bias in our system that if we have to incur a higher cost and anticipate it to recycle and reuse these waste, we will. And as an example, we now separate oil and water base paints. We are now going to be starting this month separating by color water-based paints. We have an agreement to send those paints down to Los Angeles where they are reprocessed. We buy back every single gallon of paint we send them. We pay for the cost both ways. And we distribute the paint free of charge. A lot of it is now being used by the Police

Department for graffiti cover, for camps and boy scouts, and we've actually generated a demand for this that exceeds our paint ability to supply.

ASSEMBLYWOMAN LA FOLLETTE: I need to ask some questions.

MR. HERSON: Yes.

ASSEMBLYWOMAN LA FOLLETTE: Your rapid fire delivery is great and you're really telling us a lot...

MR. HERSON: I have a lot to cover.

ASSEMBLYWOMAN LA FOLLETTE: Yes. Okay. Now this last you're recycling this paint, you're bearing that expense, you're still coming out ahead, obviously, or you still wouldn't be in the business.

MR. HERSON: Well, we'll discuss how the program is financed.

ASSEMBLYWOMAN LA FOLLETTE: Okay. You did say that your program is limited to household hazardous waste.

MR. HERSON: That is correct.

ASSEMBLYWOMAN LA FOLLETTE: But yet you've said something about small businesses also being...

MR. HERSON: We have developed a long range plan that includes the triad, the three elements that we feel, as a community we have to put together to totally solve the problem. The first is, household, the second is small quantity, and the third is a waste acceptance control program, into concluding training all of our garbage collectors. We have already started the waste acceptance control program. It officially goes into

effect November 1, of this year. The household was started in January, and we have a goal of sometime this year to see if we could possibly put a small quantity generator program together.

When the Tanner Committee in San Francisco went out and discussed, as you know, under that program, the issue of these type of waste, we had almost a riot on our hands, because we had small businesses and San Francisco has a large number of small businesses. Percentage wise, we don't have a lot of hazardous waste as we look at other counties total, but if you look at percentage wise, the majority of our waste comes through small quantity generators. And they want the rights to use the same kind -- their thrust of the message was -- they want the rights to use the same kind of facility that you have a picture before you by the households. They feel they don't have the ability, the technical expertise, and they clearly don't understand state statutes. And they feel it's a county obligation, and thus it becomes our obligation as their agent for disposal, to deal with these problems. And we've taken that for a fact and have tried to put programs together to go after it. We haven't resolved the small quantity yet. We hope to come back to the state with a program similar to the household within the next six months.

CHAIRWOMAN TANNER: Okay. One last question. Who provides the pickup as part...

MR. HERSON: Our companies.

CHAIRWOMAN TANNER: Your company.

MR. HERSON: We manage the entire waste stream, collection, transfer and disposal. One of the programs, one of

the issues here, is that before you educate either the household people or small quantities, you better make sure that you have a place to deal with these waste and a mechanism to deal with these waste because they are going to scream. They are our customers, and we simply cannot tell them we cannot accept under state law your waste. We cannot do that. So we have attempted with the city to try to put these programs...

CHAIRWOMAN TANNER: You don't believe that curbside screening is all that perfect, do you?

MR. HERSON: Well, I think what was referred to us essentially is our program, I think, is curbside screening. We have trained all of our refuse collectors to look at the waste. We have a neighborhood cleanup program which is a free disposal program jointly done with the city for garbage. And we screen that material and we even have a protocol and a procedure to respond to materials that have to be left behind. There are mechanisms to deal with us. Yes.

CHAIRWOMAN TANNER: One more question and then Ms. Eastin has a question. I came in late and I didn't hear the early part of your testimony. Are you the agency or the company that collects all of the solid waste?

MR. HERSON: In the city and county of San Francisco there are three companies that operate under a franchise system and for lack of better words, or in essence a quasi public utility. We have a formal rate-setting board, and we have formal proceedings.

CHAIRWOMAN TANNER: And so, you collect the solid

waste...

MR. HERSON: We collect all of the waste, yes.

CHAIRWOMAN TANNER: ...besides the household hazard.

MR. HERSON: Yes.

CHAIRWOMAN TANNER: Yes. Okay. Ms. Eastin has a question.

ASSEMBLYWOMAN EASTIN: One other question. You had said you were operating under a seven day a week variance.

MR. HERSON: No we're operating under a permanent variance.

ASSEMBLYWOMAN EASTIN: Permanent variance.

MR. HERSON: Yes.

ASSEMBLYWOMAN EASTIN: Permanent variance INAUDIBLE.

CHAIRWOMAN TANNER: Not a permit, a permanent variance.

ASSEMBLYWOMAN EASTIN: Why not a permit? Why not a permanent permit?

MR. HERSON: If you give me a few minutes I'll try to put the puzzle together for you.

ASSEMBLYWOMAN EASTIN: Okay, thank you.

MR. HERSON: because I think it's an interesting story.

I wanted to give you some background now. We have asked a series of questions of the people using the facility, and 97 percent said they would use it again. Now remember that facility is free of charge to San Francisco residence. We do not allow non San Francisco residence into that facility. And the reason for that is not the state, the reason for that is contractual limitations and the fact that the rate payers of San Francisco are

paying for the cost of this program and that the city and county of San Francisco is assuming the generatorship role.

When we looked at this program three years ago and we wanted to put a facility together, again, we started from the bias, that before we could really properly address the household hazardous waste issue, we had to have a permanent collection facility. We had to have a facility that we could store the waste legally and properly, that we could put in enough safeguards and controls, and that we could process the waste to avoid simply putting in a lab pack and sending it to a landfill. Because that wasn't our goal. Our goal was to keep it out of the landfill.

So we went ahead with this program with not a lot of answers and we went to the state, the Department of Health Services with a request for a variance. We applied for that variance in the beginning of 87, we worked extensively with the Department of Health Services, the regional office who were exceptionally cooperative, I have to say that, exceptionally cooperative. And we were granted a variance in October of 1987, to operate a permanent household hazardous waste facility for one year. So I have expended a half a million dollars to build a facility that is, in our opinion, and I think most others, full TSDF facility with a one year permit and at the end of this calendar year I'm not sure what's going to happen because our variance was for one year. But there was enough sentiment and enough commitment among the citizens of San Francisco and our rate payers that they demanded this type of approach. I really don't believe the facility will be closed down, but, clearly, it's an

issue that we do face for the next couple of months. Yes.

ASSEMBLYWOMAN EASTIN: Well, I want to talk about the economics of this, because as a business person there are a lot of businesses that given that level of risk, one year permit would not make it very wise to spend a half a million dollars. Is that not accurate?

MR. HERSON: That's true. That's very accurate. And clearly what we've done in San Francisco, and we represent a lot of other counties and cities, I don't think we'd be able to do other places right now without better definitions and more permanent structures. I don't honestly believe in my heart the facility will ever be closed down. The demand for it and the service that it provides is here to stay. But we went to the city with that understanding. There are other reasons why we are prepared to do that, and they go back to my triad. We ultimately are going to have to deal with small quantities and we're going to have to cite a facility and I believe that facility will in essence be expanded in terms of it's permits. Third, is like I said, the issue of the waste acceptance control programs. If we're truly going to start screening the waste that comes out of transportation landfills, we need a physical spot, a secure spot that we can safely manage and handle those waste, even if we store it for only 90 days.

CHAIRWOMAN TANNER: Mr. Herson.

MR. HERSON: Yes.

CHAIRWOMAN TANNER: With a variance, with a one day variance, I doubt that there would be an inspection. With a one

year variance -- you know with a permit you have to meet certain criteria, there are inspections. I am delighted that you have this program, and that you have this facility to pick up and take care of this waste. But, if everyone who decided to cite a facility like this had a one year, two year, five year variance, we would be back in the same position as we are now with other interim permit programs where there is no inspection, people are getting away with doing almost anything, and the state just looks the other way. Now, you know, I think it's exciting that you have this facility. I would love to see this kind of facility in every county or many facilities such as yours, but, I'm curious. Does the Department...

MR. HERSON: Yes. Can I answer that. When we went ahead with this program it was clear to all of us that we were going to be living in a fish bowl, and everything we did would be public. So, clearly, we went overboard, in terms of the design, in terms of the staffing, and in terms of the inspection and controls. And, in fact, we worked, because I was very concerned over that, in fact, we worked up an elaborate agreement with the city that, physically, every single day we have to be inspected, we have to agree to certain protocols, and the only problem with that is we're spending a lot more money than we probably should be, but it's a very elaborate since of controls. We even went to the point to agree to specific levels of training and people who would staff the facility, and specific qualifications. I am not permitted to have anyone operate that facility who is other than a chemist. Otherwise, this facility is operated by chemist.

CHAIRWOMAN TANNER: Would you be comfortable if that one year or five year variance were given to someone that you felt, personally, to a facility that didn't feel as strongly about you at handling it carefully. Would you feel comfortable that the state would be inspecting often enough to -- I mean -- I'm not comfortable.

MR. HERSON: I'm not comfortable with it, and I doubt that we'd be doing this in any other county until the state establishes specific permitting procedures. No doubt about that. We viewed this as a test. What I'm suggesting is not the norm, but the exception, and that hopefully, the type of information and the things we've learned can be used to speed up the process so other communities could implement these programs as well as our other communities.

CHAIRWOMAN TANNER: Well, perhaps your standards are high enough so that, maybe, you will have done the department a favor and then make their job easier.

MR. HERSON: Well, the state has inspected us and will continue to inspect us. And you have to remember, one last thing, is that this is a partnership with the city and county of San Francisco and technically, the city and county of San Francisco is the applicant and the operator of the facility, we are their agents.

CHAIRWOMAN TANNER: Yes. Ms. Eastin.

ASSEMBLYWOMAN EASTIN: This really goes back to what we were talking about before. I mean, when we essentially heard testimony there wasn't a real demand yet for these kinds of

permitting. I'm hearing there is a demand, understanding what I understand about how private companies invest their capital, most companies will not risk a half a million dollars for a one year permit. I mean, on the one hand, we have the risk to the state of not properly monitoring, and on the other hand, we have the risk to the state that no one else will want to do this. We're asking you to make this kind of up-front financial investment without any longer term ...

MR. HERSON: Again, you know, this is a complex industry in the state of California and that individual relationships and franchises, and contracts are radically different from community to community. Each community has to address this on an individual basis and find a package that meets their needs. There is not going to be an easy uniform solution that you're going to have a crystal box and throw it out to everybody.

CHAIRWOMAN TANNER: There has to be a permitting process.

MR. HERSON: It has to be a permitting process and it has to go and then go through that. In San Francisco we operate under a rate making basis, not much different than a city or county in terms of their rate structures and their budgets. So we actually go through a series of public hearings, invited to all the citizens to so testify. We present these programs, and we agree, in essence, to pay for them or not. In this case, it was paid for by, essentially, almost a ten cent per capita, per home, per month fee on top of their regular refuse rate, that's how this particular program was financed. It's a little less than that.

The variance we received though, was quite elaborate and had specific limitations. We could only take household waste. There's only a one year pilot project. We could have no storage for greater than 90 days. We could have no treatment of hazardous waste, which could severely limit the amount of recycling one could do. We could only limit the 40 drum storage. The city had to conduct periodic inspections no greater than a month and sign off on those. We had no voluntary receipt of specific types of products.

During the last year there have been changes to our variance, and the Department of Health Services has been very helpful in allowing us to make minor changes that enable us to do and achieve our goals in recycling and reuses.

One of them is, for instance, in consolidating paints and solvents. So we now can consolidate paints and solvents, blend them, which is essentially not to get complicated here, pouring one can of paint into a bigger can of paint. And we are now achieved about an 80 percent recycling rate or reuse. About 80 percent of the products coming in are not landfilled they are put in alternate uses.

CHAIRWOMAN TANNER: Mrs. La Follette.

ASSEMBLYWOMAN LA FOLLETTE: I'm sorry, I need to ask a question, again. Would you explain your procedure for your rate schedule. Could you explain that more clearly?

MR. HERSON: Okay. In our particular case we have what's called a rate board. It is no different then what PG&E would go through or any other public utility. We have to apply

for a rate request to justify any of these programs. There has to be a minimum of three major public hearings over a series of five months. The Director of Public Works has to evaluate the program, prepare a report to the Chief Administrative Officer, and it then has to go to the rate board itself. And they look at the objectives and the goals and the cost of these type of programs before they approve them.

ASSEMBLYWOMAN LA FOLLETTE: Yes. And so, then what is the cost for each household, then?

MR. HERSON: The costs that we're approved is about seven cents per month on each persons monthly garbage bill.

ASSEMBLYWOMAN LA FOLLETTE: Seven cents.

MR. HERSON: Seven cents. Yes. Okay. Now in San Francisco, that seven cents generates hundreds of thousands of dollars per year. If you would take that seven cents and translate it to a rural community it would only generate hundreds of dollars. So, we have to be careful how we use dollars in programs like this.

ASSEMBLYWOMAN LA FOLLETTE: Right.

MR. HERSON: San Francisco is a very tight geographical area with 700,000 residents, so you contend to do more with your dollar or your per unit card.

ASSEMBLYWOMAN La FOLLETTE: Actually it's sort of an ideal location for this as a pilot project.

MR. HERSON: Quickly because I know you have a lot of questions. We operate the facility, we staff it. The cities effort is in terms of public education, they have to select for

hazardous waste hauler, we have to abide by their contract. They arrange for the disposal of hazardous waste. They sign the manifest, and they inspect the facility constantly.

The joint responsibilities are overall planning and pilot program waste minimization and emergency response. As I said, each person that comes into the facility signs a sheet which includes his date, his vehicle license, his drivers name, and the zip code, and we make each person who comes into this facility sign the following statement:

I certify that the waste I am delivering today at the household hazardous waste collection facility are waste from a household within the city of San Francisco, and that none of these waste result from a business or commercial enterprise nor from a household outside the city limits.

We date and sign these. Okay.

We might ask quickly, and I've done it quickly, over why both the city and the company went into this, and there were seven basic reasons which I'd like to quickly go over. One, it addresses a contractual concern that we of a company has with our landfill that we will take all reasonable efforts to control the waste stream, and household hazardous waste is part of those reasonable efforts. Two, it allows us to temporarily store the material which we cannot accept at our facility and we can return to sender. Three, it meets the obligations of the county hazardous waste management requirement on this issue. Four, it provides residence with an opportunity to safely dispose of their waste. Five, it meets the demands of the general public to

provide this type of program and the educational information that's associated with it. We have a hotline within the city and we are distributing educational information. The city is doing that, that's their part of the partnership. It reduces the potential for sanitation worker injuries on our part because they are our employees, and lastly, it meets the provision in a generic form of the low checking programs that you're now seeing throughout the state.

You asked a number of questions, and I could sit here and talk for two hours, and I know there are many other people who want to comment because there are a lot of exciting programs going on all throughout the state. I think it's fascinating to watch private companies, public enterprises, jointly look at these programs and try to cooperate them.

The county of San Bernardino has a wonderful program and we've even got a private partnership, public partnership there and I understand from Larry, that we're going to be exchanging chemist sometime in the early part of the year. We're going to send our chemist down there to see why they do it better than us, and hopefully, (inaudible) to come up to us so we can exchange that kind of information.

Some of the questions you asked real quickly, were the issue of liability to the homeowner of putting this material on a road and the highway and having them bring it to us. That was an issue that we debated and debated with the hazardous INAUDIBLE materials advisory committee, and many members of the public in a public format. There was that risk. I don't believe that what we

have here is that permanent as this household hazardous waste centralized collection facility is the answer. I mean, we may be going further. We are now getting demands from the general public that people who don't have vehicles, that people who are handicapped they want to participate in the program. So I'm not sure how we're going to address all those concerns.

CHAIRWOMAN TANNER: You don't have a pick up then.

MR. HERSON: We do not have a pick up. The residents bring their material in their vehicles to us, okay.

To date, we have had no incidence, and to date we have had no reportable accident involving these type of materials. We have sent out to each homeowner instructions and an informational fact sheet as to how they should package these materials and how they should bring it. The city also has that and we do have a hotline.

I believe in the future we are going to have to deal with some kind of source program on a limited basis or larger. But as far as we and the city is concerned, we're going to let those needs go where they go and let the future tell what they tell.

Remember, one of the reasons this could work in San Francisco, is we're a very small geographical area. If we were the county of Los Angeles, the county of Riverside, and you're talking about driving an hour, obviously, this type of program could not be duplicated. All right.

We are pleased with the variance. We are pleased the state allowed us to go ahead and try these programs. We are

generating data on participation, the types of materials, the disposal issues, public responses and needs, and this data is all going to be available to the state. We're not trying to do this in a vacuum. We clearly believe whatever comes out of this positive or negative, we'll be available for public information.

You asked a question over the day to day operations. What I would like to really get out there is that, we're dealing with some fairly exotic materials here, and as a Civil Engineer I don't really understand all the chemical waste, it all looks icky and liquidy to me. But there are some, there are some fairly toxic materials we receive and there are fairly simple innocuous materials we receive.

In designing this program, we've done a number of things. First, as I said, we only staff it with chemist. Not cheap, but I don't believe anybody other than a chemist can make that kind of judgment.

Second, is you get into the issue of quality and this is a very difficult one which we do need some guidance on. And we get a percentage of our waste, our unknowns, what we call unknowns. That means they come in a mayonnaise jar and they're dark. We just legally can't put that stuff in a lab pack and say it's unknown and dispose of it. In order to dispose of hazardous waste, you have to identify each material in that lab pack with some generic code. So we, in essence, now have a haz-cattling procedure, which is almost a portable lab sitting there and we analyze these materials enough to get to their generic family, that is no cheap effort, it's a lot of sophistication. One of the

reasons we started out our program by having the residents come to us, is that chemist, in many cases, has to play detective. And having the resident there and asking them when did you use this product, what did you use it for, answers many of those questions to start us down that generic trail. So, that's one of the issues we're discovering in a day to day operation.

The second major issue that somehow we're all going to have to face is, what is a hazardous waste? When somebody brings in a pint of waste and it's 2/3 empty and has a thick paint crud on it, and if you scratch the paint crud with a pencil or a screwdriver and you pour it, it's technically hazardous. At what level of controls are we going to go down to? What is the minimum quantity that we have to look at when we address hazardous waste? Those are some of the operational issues that we face.

You asked another question, with regard to community response. The response has been excellent; it's not as much as I would like, in terms of participation levels. We do find some phenomenon: One phenomena is pooling; we do find people who are being good citizens and go down the block and volunteer to carry stuff for other people in their house. That's an issue that we've tried to address. We have gone, in terms of the community response and expansion, in terms of looking at education, and that has really been the thrust of the program.

You asked another question, with regard to state assistance to local governments and private parties on this. I guess the main thrust that I want to get across here is definitions. I think we all need help in definitions; definitions

as to what is a hazardous waste, definitions as to what are appropriate procedures, definitions as to what are minimum quantities, and definitions as to how...When we run these programs, even with the best controls, with the state and the communities looking at putting specific limitations on materials that are not permitted to come into this facility, even within a permit concept, you run a hazard, because you can't, once you open a door to a homeowner or to a small-quantity generator in the future, say, "We're not allowed to accept this material." You face the risk that they're going to go out on the curb and leave it, and you face the risk of the double haul.

So, we have tried to look at some of these issues; we've been successful in some cases, and not in others, in terms of explosives. We're not allowed to receive explosives from under our variance, but we have worked out with the Department of Health Services and the City and County's police departments to come and respond to those almost on an emergency basis and handle them, and not allow the residents to carry them back. So, there are some real things that I think the state needs to help us on, particularly in those areas.

The issue of the variance, again -- I know that was one of your primary requests...

CHAIRWOMAN TANNER: ...We talked about that...

MR. HERSON: ...Okay. Lastly, I'd love to answer any questions.

We have found that about 80% to 90% of the users of our system are really pleased with it, and really happy to cooperate.

We do find that there is such a thing as a (inaudible) generator, that individual who wants to avoid the complexities or any other necessities. In fact, we've worked up a program with the City, to try to identify and deal with it. We believe that the household and the small-quantity generators are tied together, because there are many consistencies in the type of products that are coming about.

I think a story would illustrate that...We don't accept solvents and use paints from any commercial source; we only accept it from households. Yet, I know for a fact, that some of the painters in the City -- and Americans are very clever, all of us -- are now going to their customers and requiring their customers to take ownership of the spent solvents and the leftover paint, and are giving them our brochure and saying, "You can carry it down to the City's household hazardous waste facility, and get rid of it legally; I can't."

CHAIRWOMAN TANNER: I thought they were being nice, in case we had a chip or something...

MR. HERSON: ...No...

CHAIRWOMAN TANNER: ...No?...

MR. HERSON: ...No...

CHAIRWOMAN TANNER: ...They weren't being nice?...

MR. HERSON: ...No. So, we're really taking what, by definition, may be a commercial small-quantity source, and putting it into a household source.

We're really excited over what we've done; we've generated a lot of enthusiasm by both employees and the people of

San Francisco. I was pleased to have the opportunity to present these (inaudible)...

CHAIRWOMAN TANNER: ...Thank you very much...

ASSEMBLYWOMAN EASTIN: ...Just one quick question, please?

CHAIRWOMAN TANNER: Yes.

ASSEMBLYWOMAN EASTIN: When your permit runs out -- your variance runs out -- at the end of the year, are you going to be allowed to apply for a permanent permit?

MR. HERSON: We are in the process of exploring that with DOHS. DOHS has informed us that they will extend the variance until we can come in with that formal (inaudible)...

ASSEMBLYWOMAN EASTIN: ...But, at some point, we ought to get DOHS back up here and find out why they permitted (inaudible) and have not permitted you...

CHAIRWOMAN TANNER: ...Well, if he hasn't applied for a permit...

ASSEMBLYWOMAN EASTIN: ...It sounds like you would like to apply for a permit. Is that not correct?

MR. HERSON: I think...I don't think we can solve the problem without having a defined, simple permit procedure that goes forward, that allows all the counties and the cities to build these types of facilities. Not every county needs a centralized facility of this magnitude; not every county needs a permanent facility. But, clearly, when you look at the state needs, there are a number of things that have to be built...

CHAIRWOMAN TANNER: ...Since you raised the

question...You haven't applied for a permit?

MR. HERSON: ...We applied for a variance to operate this facility...

CHAIRWOMAN TANNER: ...And now you're going to apply for an extension?

MR. HERSON: Yes.

ASSEMBLYWOMAN EASTIN: Would you like to apply for a permit?

MR. HERSON: Of course. Yes. We will be. We are working with DOHS now, to do that.

One of the understandings was that the information that I've tendered to you today would be public, and that, hopefully, the type of questions that we're all looking for...We could provide those answers, along with some of the other programs that are going on.

CHAIRWOMAN TANNER: Right. Thank you very much. I think this sounds like a very good program...

MR. HERSON: ...If you have the opportunity, I would invite you for a tour of the facility.

CHAIRWOMAN TANNER: All right. Thank you.

We'll have one more witness before lunch. Diane Christenson, who is the Program Leader for the Household Program, The Department of Environmental Health Services, San Bernardino County. That's a long title...(LAUGHTER)...I stumbled over that one.

MS. DIANE CHRISTENSON: First of all, thank you very much for inviting me to share some of the details about San

Bernardino County's Household Hazardous Waste Collection Program. My name is Diane Christenson, and I am an environmental specialist, with the San Bernardino County Department of Environmental Health.

Late in 1984, the Department of Environmental Health Services applied for a grant for a pilot project from the State Water Resources Control Board, to do two one-day household hazardous waste collections and to establish permanent collection centers, operated on a full-time basis. Since that initial pilot project, we have received permanent funding, have opened four additional sites, and continue to conduct one-day collections in locations not served by permanent centers.

The County of San Bernardino Department of Environmental Health Services would like to make the following recommendations, up front, just in case I run out of time: Concerning liability, we would recommend that the state consider assuming some liability for operations of the household collection centers, so that even the smaller counties can participate without risk of great loss, initially.

Concerning state assistance and permitting, the state should form an office dedicated to assisting household hazardous waste programs, by acting as a clearinghouse for information from all programs, and assisting with and streamlining the permitting process, and to help in solving problems that come up in the day-to-day operations of the program. This would bring about uniformity between Northern and Southern California regions and give new programs a more official source of information.

Our Department has served, in part, as a clearinghouse; we receive a lot of calls from other counties for information. I think, within the State of California, it's more of a county-to-county informational network than it is with the state, unfortunately.

CHAIRWOMAN TANNER: The state doesn't provide all that much information...

MS. CHRISTENSON: ...We haven't had that happen, no.

I think, in part, the programs that are underway, and that have been operating for a few years, now, seem to have a lot more information and practical experience that they can share with other counties.

I would like to address the questions, one at a time...

CHAIRWOMAN TANNER: ...I'm trying to decide, because we did plan on getting the hearing over with by 1 o'clock. We still have a number of witnesses, and we really want to hear from all of you. It seems as though people have made plans after 1 o'clock. I think that what we can do is, we can extend the hearing until 1:30, have everyone testify, and hear from everyone, and not rush everyone, and attempt to finish by 1:30. Is that all right with the Members?

We'll do it that way, because I know that those of you in the audience have plans, and I think the Members have plans for lunch.

Okay. I'm sorry to have interrupted.

MS. CHRISTENSON: That's quite all right.

The factors that led to San Bernardino County initiating

a household hazardous waste collection program were numerous and tremendous numbers of calls from homeowners wondering how do they handle their household hazardous waste? What are they going to do with it? I think, as toxic issues are in the news, on a continual basis, people are becoming more aware that they have these types of things in their own homes.

We also received kind of a push from the League of Women Voters in the City of Redlands. They had been following the programs in the eastern part of the country, and felt that the City of Redlands could sponsor that type of a program. So, with that, and the fact that we had applied for a grant from the State Water Resources Control Board, we launched our program in February of 1985.

During this time, while waiting for the grant application to become final and to receive this funding, our Department did apply for a permit through the State Department of Health Services for the operation of a permanent collection center. That permit would enable us to do some simple treatment -- bulking of paints and solvents and things like that. At that point, at the very beginning of their program in 1985, is when we applied for our permit. From that point on, there was a lot of "back and forth" between the state and our Department, in working on the details.

Part of...

CHAIRWOMAN TANNER: ...I missed whether you have a permit or not.

MS. CHRISTENSON: Yes, we do have a permit, at this

time. We finally received our permit two years later, in the spring of 1987.

I think that the permit process was held up because of, possibly, a low-priority status from the State Department of Health Services' point of view, in that each time a new person came on board in their Department, they would hand our permit application over to them, and they didn't know what to do with it. So, it just kept changing hands, on and on, down the line, until finally, we were wondering if this was ever going to happen.

CHAIRWOMAN TANNER: ...What we call, "permit streamlining".

MS. CHRISTENSON: Yes, yes.

At any rate, we finally were able to work out all the details. We didn't have any kind of an application to go by, other than the guidelines set down in Title 22, for a Part B permit. If anybody has ever read that, it's quite an extensive list of criteria that you need to fill out.

Part of my recommendations would be to generate some kind of an application form that would be specifically tailored to permanent household hazardous waste collection centers and, therefore, eliminate most of the unnecessary questions, but still give enough background information to be very useful for the state and for our Department to use.

Concerning liability, the County embarked on the household hazardous waste program, knowing that it was already liable for any future landfill clean-ups. The County owns the landfills -- 24 of them -- and felt that we already had a

long-term liability. With that, we felt that we could handle the short-term liability of incidents or possible mishaps or accidents that might occur, due to collection days or through use of the permanent collection centers.

We really didn't have that much objection, through our County Council and Risk Management people. We utilize trained personnel in the Department who are familiar with hazardous waste from the Hazardous Waste Generator and Underground Storage Tank Program. In addition to that, we also utilize members of the Emergency Response Team for the collection, and for doing training.

Part of our Program is based on a co-sponsorship in some of the cities. We have six permanent sites; one of them has a TFC facility, the other five are operated on the yearly variance type of format. We have co-sponsors with five different fire departments in our County. At the TFC facility, the County Agricultural Commissioner's Office acts as our co-sponsor there.

We chose fire departments and the County "Ag" people because they deal with chemicals on a day-to-day basis. Many of the members of the fire departments are members of our Inter-Agency Emergency Response Team. Also, the County Agricultural Commissioner's Office does a lot of work with pesticides and herbicides, and have knowledgeable staff that can handle these types of waste. We felt that by utilizing these different departments, it would help with our labor costs, and we could do more in the communities if...Also, by using these fire departments, maybe they would be more committed to helping their

individual communities -- let me put it that way.

On the day-to-day operation of our County's Household Program, I feel it's very simple; people do bring their waste in there, and it's accepted by their fire department personnel or the County "Ag" people. We try to track what types of people who come in, and we try to see what types of advertisement works the best -- and the education that is going out to the community. How are people hearing about us...?

CHAIRWOMAN TANNER: ...How long has the Program been going on?

MS. CHRISTENSON: For four years, now.

CHAIRWOMAN TANNER: Okay. Can you give us some numbers on the quantity...?

MS. CHRISTENSON: ...Well, to date, we've collected about 11,000 gallons of waste and probably have serviced over 2,000 different homeowners in one-day collections and through the permanent collection facilities.

These permanent sites have come on, one at a time. We still do the one-day collections to boost the awareness of the permanent sites. So, we may have, say, a permanent site in Rancho Cucamonga, and we'll do a one-day collection there in the spring, in conjunction with their clean-up day...

CHAIRWOMAN TANNER: ...It would have to be the fire department? Is that...?

MS. CHRISTENSON: ...Yes, that's a fire department-staffed site. That helps to boost the awareness of all the collection centers, because we are able to get some articles

in the newspaper. Each of the ads states that, if you can't make it to this particular one-day collection, that this system of six sites is always available, on a weekly basis. We feel that trying to get the word out is probably one of the most difficult things in making people aware that the collection centers are there. We sometimes feel under-utilized; I don't know if we're having difficulties with getting the word out.

One of the new things that we have developed is a curriculum packet for kindergarten through sixth grade elementary school-aged children. We've had success with a health educator in our department, who has gone to all the school districts in the County -- I believe there are 36 different districts -- and gotten them all to (inaudible) on this curriculum packet.

If you're familiar with the educational system, it's very difficult to get teachers to teach what you want them to teach, because they are bombarded, continually, with new programs, and "this and that". But, our health educator was able to go in and really sell the program, and show them that this is a current topic, and this is something that would benefit individual communities that participate and, overall, will benefit the whole County, by keeping these things out of the landfill and, ultimately, protecting ground water.

Let me talk about some of the waste that we receive. We have a slightly different waste stream than San Francisco; we receive about 50% of the waste as used motor oil. It's really hard to gage exactly how much of that we receive, because we have a network of service stations that are set up throughout the

County, that also will take used motor oil from customers. So, in addition to the education stating that we will accept waste motor oil, we also hand out lists of stations that are willing to do that, as well.

About 25% of our waste stream is paint. I was somewhat alarmed when the state said that they would encourage people not to bulk paint. We have been bulking paint for the last year, and have had a tremendous amount of success with our latex paint, which we also send through the same company as sanitary fill. For re-processing, it costs us the same amount to have it re-processed so we can re-distribute a usable product to the community, free of charge, as it would if we just paid to have it incinerated or landfilled somewhere. So, we opted to take the resource recovery approach and utilize the paint, through the Senior Housing Repair Program and community services. All kinds of community projects are benefiting from the paint.

CHAIRWOMAN TANNER: Now, you're beginning to wonder when the Department said, "We don't encourage that."

MS. CHRISTENSON: Well, I haven't received any document in the mail that tells us to the contrary; so, I guess...

CHAIRWOMAN TANNER: ...I hope not...

MS. CHRISTENSON: ...(LAUGHTER)...Anyway, on the oil-based and solvent-based paints, we have experienced some difficulties there. We began bulking those also this last year, and have found that our oil-based paints contain small amounts of PCBs. We test each individual drum separately, and we've shown amounts anywhere from about 0.3 parts per million, all the way up

to 2,700 parts per million PCBs, which presents a difficulty in disposal.

Anything less than five parts per million PCBs -- which is not considered hazardous for PCBs, I believe, by the state -- we send those out for some resource recovery. (Inaudible) dioxide is extracted, and then the remainder of the paints that exceed five parts per million are sent for incineration, which is very costly, but we want to manage this waste properly.

I caution programs that aren't doing any testing, because I would like to know if they're finding similar results. I notified the EPA in Washington of my findings, that we are coming upon these types of levels of PCBs in the paints, and they sent me documentation that stated that, prior to 1978, PCBs were a very common contaminant of paint pigments. Until PCBs became regulated at that time, these pigments were being distributed widely, and were also being imported from Japan. So, a lot of the paint that we are receiving through the programs is old...

CHAIRWOMAN TANNER: ...It would make sense that it would be, too...

MS. CHRISTENSON: ...So, that is one area where we would request assistance from the Department of Health Services, in conducting a study to find out exactly what paint manufacturers were, at the time, using those types of pigments, so that it would make it easier to segregate these wastes out, and deal with them on a separate basis.

The remainder of our waste stream consists of acids that we send for neutralization, which is a form of treatment, so that

we're not landfilling untreated waste. In addition to that, we have poisons, pesticides, some flammable adhesives and things of that nature, as well as oxidizers.

At this time, we're not really operating any kind of a waste exchange, where we're turning these wastes back to the public, for obvious liability reasons. That is something that we would like some comment from the state on, as well.

I think that with a good screening program, we probably could recover and recycle some more of the wastes. And that is our goal, to keep as much out of the landfill systems -- the Class 1 or sanitary landfills. We're not trying to re-landfill what we've collected, but to try to recover some resources from that.

CHAIRWOMAN TANNER: I'm going to ask you to wrap it up.

MS. CHRISTENSON: Okay.

I think the community response to our program has been very favorable. We foresee expanding the program to do mobile collections, where we can reach the remote areas of the desert and of the valley, where we don't have permanent sites, and where it's not really economically practical to do one-day collections. With a mobile collection, we might be able to go out and pick up, on an appointment basis, or to service shut-ins or handicapped residents, as well.

The dioxins that we collect are segregated from all the other waste. We have been able to landfill these, through permission from the state, at the Kettleman Hills facility, and at this point, we really aren't seeing that many come through; I think we landfilled only two drums last year -- that's total.

Again, as far as recommendations, just some open lines between state Department of Health Services...

CHAIRWOMAN TANNER: ...We got that, clearly...

MS. CHRISTENSON: ...and I can't reiterate that enough...

CHAIRWOMAN TANNER: ...Well, we certainly understand that...

MS. CHRISTENSON: ...I appreciate the time you've given me to share information about our program. If you have any further questions...

CHAIRWOMAN TANNER: ...Well, I really commend you -- your County and you -- for doing such a good job. It sounds wonderful.

MS. CHRISTENSON: Thank you.

CHAIRWOMAN TANNER: Thank you very much. We have taken notes on those things that you discussed. We also will contact the Department.

Sandi Schafer, Project Manager for the Household Hazardous Waste, Orange County Fire Department. Ms. Schafer.

MS. SANDI SCHAFER: I'm going to try to go through this, as quickly as possible, just to point out some of the unique things that have to do with Orange County. Can you hear me?

CHAIRWOMAN TANNER: Yes. You will summarize, won't you?

MS. SCHAFER: I will summarize, as quickly as possible...

CHAIRWOMAN TANNER: ...All right; that's good.

MS. SCHAFER: I think what I'd like to point out is,

that most programs as you hear us speaking about it, are basically the same in the way we go about going through and advising people on how to carry the things to collections, how we've gone about the variance process, and so forth, and how we've advertised it. I think the thing that I'd like to point out is why our program is a little bit different in Orange County, and the factors of why we've established it the way we have.

We had gone through and had done the toxic round-ups like other people had, getting it on a one-day variance, such as we've heard about before. The two reasons why we didn't continue on with that program on a one-day, moving around, and so forth: we accumulated statistics and we found that our County has a lot of waste. We have a very large County, and when you're doing this type of program on a regional basis, it's much different than doing it on a city.

One of the things that we did realize is that we didn't tap any place close to the population we would have liked to. On a regional basis, you usually tap about 0.6% of your population; on a city basis, from looking at national statistics, it's about one percent. So, no matter how much advertising you do, it's going to take a while before people become educated enough to know that they can use it, and they know the option is available.

So, for that reason, when we looked at it, we couldn't really identify...We had large volumes of waste. Every time we had one of the round-ups, we established new national records, as we went along. So, we decided that instead of going through the cumbersome process, since San Bernardino was having a problem with

getting their TSDF through for two years, that we went with a semi-permanent program. We did that primarily to offer the option, and to make it more accessible for the residents around the area.

One of the problems that we had, too, was that we wanted an on-going funding source. Now, what we have established at our landfills, is a 12-cent surcharge. One of the things...After I go through and quickly run through this, you'll see that that is not enough, and that's one of the issues I want to address about funding, and having to do with the Eastin bill.

CHAIRWOMAN TANNER: Okay.

UNIDENTIFIED VOICE: (Inaudible).

MS. SCHAFER: Per ton? It's the solid waste haulers as they're bringing in through... Like the tipping -- 12 cents on top of the tipping fee that they have.

Basically, what we've done...I'll try to go through it quickly, and tell you why we had problems (inaudible). We did six additional...

CHAIRWOMAN TANNER: We do want to hear from you, so don't...

MS. SCHAFER: ...My problem in getting this program together...

CHAIRWOMAN TANNER: ...Don't feel as if you have to...

MS. SCHAFER: ...is (inaudible)...

We did six additional ones in what we consider a "semi-permanent". We looked at "semi-permanent", because we couldn't identify the volumes. We didn't want to go through the

TSDF process. What we did do is try and figure out the most effective way that we could do this. One of the things we came up with was, basically, looking at taking our latex paint and treating it and disposing of it ourselves, and then splitting out the toxics that we collected, and putting it together like any other program, except that what we specified in our contract with our waste hauler is that we treat most of what we have come in. We've cut down on landfill.

CHAIRWOMAN TANNER: How do you treat your waste?

MS. SCHAFER: The latex paint that (inaudible) about, and this is where the variance process came in when we approached the Department of Health Services with a little bit of a different type situation than they had been approached with before. It had to come up with a policy decision. So, what we suggested was that we were going to take the latex paint, bring it to our landfills, dry it out, and then dispose of it in our landfills, since most latex paint does not have the same qualities as oil-based, and so forth in the other toxics that we've had. When we had thought about this program we started, I guess it was in March this past year, and we had gotten all the regulatory agencies together to discuss and to see if it was a feasible program. At that time, everyone said that it was. It was really up to the regional water boards that govern our landfills, because we have county owned landfills, to decide if this was going to be a good program. Everybody gave their verbal approval and then of course, being county and wanting to do things properly, we had to get everything in writing.

It took us 90 days for the Department of Health Services, Sacramento level to finally give us a written approval on it, of variance, on being able to do this. Although, like I said, they had verbally said that they approved it and it was coming on through. Our regional water boards gave us a turn around of about 30 days and the South Coast Air Management Quality Board gave us written approval within 60 days. This caused a delay in our program and we could not get anything started until about August of this past year.

Between August 1 and October 1 this year we did six collections and basically breaking them apart so that we could dispose of our own latex paint and then take the toxics then. What we found is that one of the things that we have...and I guess everybody's waste strings vary according to different areas...that you'd be working on. We found that our older areas is where we have the most amount of toxics.

However, our paint that we bring in is in excess of 50% of what the waste stream is that we do have coming in. What we did with the other half of it as far as for toxics, is that we set it up so that our waste hauler would be required to incinerate oil base paint, flammable aerosol cans, pesticides, and so forth. We introduced this as trying to do a recycle program for waste, oil, gasoline, anti-freeze and batteries. Last on our list of course was land disposal, when we cut that back, quite a bit in land disposal.

To address the issue of dioxins, what we feel in Orange County is that we're trying to provide the service and get this

out of the waste, out of the landfills, from going down the sewers and so forth. So, we try and accept it whenever we possibly could. We figure dioxins were going to be the county's problem. But what we found was that dioxins, although they'll be banned from disposal, are not banned from sale or use. The approach the State Agricultural Commissioner...and he is allowing our County Agricultural Commissioner...to take the dioxins which actually are and to put it in layman's terms, WEED-BE-GONE contains dioxins. That's what we have coming into our roundups right now. We're turning those back to him and he's finding a way to re-use them.

We're hoping that in time...with the pesticides that we have coming in ...because he does a type of recycled program on kind of a low key thing...is that any of the bulk pesticides that we get in now...that perhaps in time we can get it into a re-use program rather than taking them and incinerating them or having to land dispose them. So, we're trying to find other avenues as far as to address on that.

I'm trying to think. I don't want to hit any of the other points. Like I said, a lot of the things that I'd be saying will be the same thing in San Bernardino. The same, you know as far as advising people to unreasonable hair standard and so forth and bringing it on in. I think what I'd like to get to is the problems, and maybe some ways that we could streamline the variance process and so forth.

Like the city before, we had problems getting through the variance and we had to be issued a variance from the Department of Health Services to be able to treat the latex paint

at the landfills. We had a hard time with that because it took so long and because it was unique no one really wanted to address the issue. So, I'd say that that by far could be streamlined.

However, when we did go for a variance that had been processed before and that was for the toxics, we got very good turn around time from the LA office which is the office that we went through.

One of the problems that I see, and I've been in the program since when we started the collections before, is that at first when we got into getting the variances they started becoming a little bit more lenient in saying you could consolidate paints and site and so forth. Then, because of some abuses of the variances and so forth, they became more stringent. Now, we're under more stringent standards as far as with our variance than we would have been perhaps when we started the toxic problems back in 1985.

One of the things I think the Department of Health Services should consider at this point is if you have a program that has an established track record...that has the experience and the way we've run it as far as on our toxic ground that's similar to San Bernardino, we have a qualified county chemist staffing it. We do monitoring to make sure that we can differentiate between the latex paint and the oil-based paint and so forth, and if we demonstrate that type of experience and that type of track record that they take a look at the variance and start making them a little bit more lenient.

The other problem that I see along those lines too is that anybody that has anything coming in knows that people do not

bring in 5 gallons or 50 lbs. If you turn them away, you're risking liability. You're defeating your purpose of trying to bring the people in and getting it out of the landfills. So, obviously you have to make the decision on whether or not you're going to accept it, and in most instances we decide to accept it. Most of the time, it's paint. I think that the issue should be looked at and that the transporting law of 5 gallons or 50 lbs. should be some way changed for household hazardous waste and especially for paint. People store more than 5 gallons of paint. One of the things that we tell people is...we tell people to consolidate their paint at home...the latex with the latex...the oil with the oil...so they don't bring in all these different little cans of paint.

CHAIRWOMAN TANNER: Listen, let me tell you something. It wasn't easy to pass that particular piece of legislation. This committee worked hard on it. We, the author, was it Cathie Wright or Lucy Killea...Lucy Killea. It isn't easy to pass like this. (laughter) It isn't easy to get exemptions and we have to be cautious not to get too many exemptions. I don't even think that the Department should change the variances or...I think they should be consistent so you...

MS. SCHAFER: What I'm suggesting is what they do when they issue the variances for the regions or entities that have already established programs...that they take a look at their track record to make it more lenient. That perhaps they even could consolidate some paint on site or whatever, and that they allow people to transport...since they're allowed to transport a

lot more as far as material when they're bringing paint home from the store...that they can transport that coming in to the collection sites.

CHAIRWOMAN TANNER: It is true.

MS. SCHAFER: You know these people are doing it actually illegally right now. I mean you know how many people don't realize that they are not allowed to transport more than 5 gallons of paint and so...and also, the other thing that we started with our program is we included small generators. Unfortunately, we don't have all of our statistics together but I did see...you do have something in writing as far as the statistics on what we brought in so far. We had very few small generators come in. We're taking a look at it. What we're trying to decide is whether or not they're...some of them that did come in didn't even realize they were small generators and that they were under different rules and so forth, and we had staff there that actually informed them of the rules that they should be following if they brought in more than 5 gallons or 50 lbs. The way we have the form put together...it was so that they were given a form and told that they had to manifest it and that they would have one of our department's -- our health care staff would be going out there and making sure that they did it properly and offering them assistance because we had decided we didn't want to be...take an enforcement mentality on this. We were trying to get them to utilize the service. But, it's unbelievable with the figures that we had come in. We probably had less than 30 small quantity generators and most of them were painters.

CHAIRWOMAN TANNER: Really interesting...

MS. SCHAFER: ...It was kind of disheartening because we did advertise it that way. But, I think that that's going to be the main point of getting this thing moving...is to advertise a little bit more and to educate small generators a little bit more. Along those lines also with our program, what we realize is that we have an educated county out there. We have to provide the option. We need the money to be able to provide the option. At this point, our 12 cents at the landfills does not appear to be enough to be able to do an annual program because we're almost through the money that we've collected.

We started it as of January of this year...to put it into a trust fund so that we earmarked money and set it aside for this program. At this point, we know that we're going to be doing...we're offering it on a new open estate...on a type of basis where we have it for fall and spring type collections to make it a little bit more accessible and still having it on Saturdays so that working people can utilize the service...and at the times of the year when people would utilize it a little bit more. We're still gathering statistics so that we know where to go from here with the plan for Orange County.

CHAIRWOMAN TANNER: Yes, Mrs. La Follette.

ASSEMBLYWOMAN LA FOLLETTE: Could I ask you: How much has your program cost you to date?

MS. SCHAFER: Okay. We don't have all the statistics in because the last one that we have is October 1. It takes a while for it...the thing to get on through. But, as I have been

here...we have about \$265,000 that we've spent in disposal costs for the past six that we've had within the past couple of months. That's just disposal costs. We haven't accumulated all of our advertising costs or looked at the staffing and so forth that we've accumulated at this point. We don't have anything to compare that to...because when we did the toxic collections before...all the time that we had before was donated time, staff time. We're now paying for any of the staff time we have out there and that means paying for the health care staff that's staffing it, the hazmet teams that have to come out and so forth, and the only people I think that...as you say donate some time...is that we might have from Orange County sand district because they're helping to hand out the questionnaires. They also contribute to our program. They give a contribution.

The City of Irvine, which was one of the cities within Orange County that had done their own collections before...has now pulled it into our program and they're helping by donating some staff time so that the county takes...assumes the generator roll and brings in people from other parts of the county. That was the last one that we had in Irvine on October 1st.

Once we get all the statistics together and we're hoping to do that within the next month...we will definitely send you a report on it so that you'll be able to see...because we want to be able to compare what we had from the toxic roundups before as to what we have now...to see the differences as far as the costs with what we're doing on treatment versus what we did before on disposal.

To sum up real quickly, I would like to hit the points and just to get into it...one of the things that we have as far as recommendations, has to do with the Eastin bill, 2448. Really what we're looking for on that...right now we have a problem because we've been collecting the surcharge at the landfills and because the 55 cents the Eastin bill will kick in as of January 1st of next year...the decision has been made that they wouldn't be collecting our surcharge to be able to fund the program.

Now, knowing that we're not going to be getting money back until 1990, is going to be very difficult for us to have an ongoing program because we're ready to plan right now...starting collections again in January. One of the things that we've outlined here that we have as a recommendation, is that perhaps ...when they're putting the guidelines together...that rather than taking the money from the counties that have an established program...that instead they leave the money within the county...and I think it comes to about 11 cents a ton which obviously is not going to be enough for our program. What we're looking at right now is figuring that we have about, a program that costs about, 22 cents a ton to be able to go on an ongoing basis. As you see, we're not hitting but maybe, I mean, a real fraction of the population. So, that's one of the comments we have.

The other one again has to do with what I've pointed out before, and that's putting together variance that would be less restrictive allowing us a little bit more flexibility. The one thing that we do have right now with our program is that

we...because we're considered semi-permanent sites and we set up the conditions in the way that the Department of Health Services has specified in the past and that we know we should be doing...we have a year variance on the semi-permanent sites. So we're returning to the same sites but we still run them as toxic roundups. So we're on and off site within that day. Those are the important things...I think all the time is the funding and then again to help out with an ongoing program to make the variances a little bit more lenient and to try and change something that has to do with paint because that's our biggest problem.

CHAIRWOMAN TANNER: So, there is going to be some kind of a gap there with your funding.

MS. SCHAFER: Well, we're worried about that. We hope not. We're hoping we're going to be able to resolve that. We're going to be presenting it to our waste commission as far as the results of this so that they can see that we do need to still continue on and that they realize we wouldn't be able to tap into any money at all until 1990.

CHAIRWOMAN TANNER: Yeah. Any questions members? Thank you very much Ms. Schafer.

MS. SCHAFER: I would like to make one other comment because I would like to introduce Karen Peters. Fortunately or unfortunately, I will be leaving the program. If you have any additional comments or anything else, Karen Peters is from Orange County Fire Hazardous Materials Program and you can direct any of your comments or questions to Karen.

CHAIRWOMAN TANNER: All right. Thank you.

MS. SCHAFER: Thank you.

CHAIRWOMAN TANNER: Thank you very much. Steve Adams, oh no. I missed, Kieran Bergin, Division Engineer from Los Angeles County Sanitation District. Hi.

MR. KIERAN BERGIN: Good morning, good afternoon.
(inaudible) I have put most of my comments in writing.

CHAIRWOMAN TANNER: Good and you've been here many times so I know that you can summarize for us.

MR. BERGIN: I'm sure it's the first. So that the answers are key to the questions on the letter you sent me...just to hit the highlights...our program is in the throws of startup. We had our first one on August 28th at our Calabasis landfill near Thousand Oaks. We had our third one just last week and we have two more to go, one in Southgate and one in Pomona. It was started up by our Board of Directors upon a suggestion by the County Board of Supervisors and our board authorized us to spend up to \$400,000 on this program, basically, a pilot program. They didn't want to spend the amount of money that they felt would be needed to do a full scale program such as Orange County is doing. We gave them those estimates and they just said no. So they told us, get your feet wet. Learn how to do these things. Talk to us next year about fees on the landfills as well as money coming from AB 2448.

In getting it started up, we found the biggest single problem we had was where does the liability come from and where does it reside. Our county risk management people told us...They

said: "You can't do this."

CHAIRWOMAN TANNER: L.A. County is so hung up on liability.

MR. BERGIN: We did not invite them to anymore meetings. That's how we resolved that.

CHAIRWOMAN TANNER: There you go. (laughter)

MR. BERGIN: It was obvious the Board of Supervisors wanted this done. We said: "Thank you for your input." They went off the cc list. (laughter) Another factor that influenced us, and we are a special district running landfills and waste water operations...is that we are a very logical repository for this stuff if it's not managed well. We run sewers for four million people, landfills for 22,000 tons of trash a day. We have to be realistic. It's going to come to us if there's no more programs.

A second question on liability that I recommend here that the committee take a look at is: "How does the liability reside if a householder has an accident on the way to a roundup?" We don't know how a jury would react to that and we are concerned, especially if there is hazardous materials in their car as a result of our advertising. Our county council thinks that we may not be liable but they're not willing to bet their mortgages on it.

In terms of getting the programs moving, we try to expedite it by using our own sites. We didn't have to ask anybody to use our own landfills and that worked quite well.

With regard to your question #3 in terms of the State

Health Department, we found the variance process worked very well and was handled well by the Los Angeles office of the toxics division. We hired contractors in most cases to take care of the variance and operation plan. Once they got it in, it sailed through. We were very pleased with the LA office. They did a good job there.

In terms of publicity, we targeted them to specific regions of the county. I've listed most of the things that we've done there. I don't think I've left anything out. The only thing that we did unusual in operations was that when we had people come into the site, we segregated them into oil only lines and regular waste. We had those oil wastes bulked and put into a vacuum truck during the day and just recycled by the end of the day. So, we had no oil leaving the site in drums and that worked very well at the first three.

Restricted waste, we dealt with the paint issue a little differently than most. For this program, we decided not to take paints. This has been a bone of contention because it turned out that the paints were the things that people ask us for most. I don't think I have specific suggestions but I do think it needs a lot of thought at the state level as to how we're going to handle paints. If you want to bulk paints at these sites, you need a permit from state health. Well, I could do that in my garage. (laughter) I don't need a permit from state health there. I think if you have people with the proper respiratory equipment, at least bulking paints into large containers probably should not require that level of regulation.

We get a tremendous, odd variety of questions from the public. People ask: "What can I do with pool chemicals for example." I usually have a good answer for that: "Do you have a pool? Yes. Put it in them." I got a question from some fellow the other day. He has alcohol nitro methan fuel in his parents garage and for some reason they wanted him to get it out. I don't know what to tell him.

CHAIRWOMAN TANNER: But, that's the problem you see. What do we tell them? If the pool is no longer there or if they move and they still have this chemical, we have to be able to find a way for that to be disposed of safely.

MR. BERGIN: I'd like to echo the comments that Sandy Schafer made about the 5 gallon, 50 lb. limitation. From the standpoint of the people coming in, it's impractical to enforce it. We've had people coming in with as much as 150 gallons of oil at one time. How this gentleman got that much, I don't know. Fortunately, we were able to recycle it and send him on his way. If that law were strictly enforced, I think you could tie up the entire judicial process in the state doing that.

Financing small quantity generators, or squeegees as we call them sometimes in the business, we have two major comments. One, how would we finance it? Second, there is a portion of state law that gives us exemption from state superfund liability for running household hazardous waste programs that only allows us to take waste from non-commercial sources. We would probably want some amendment so that if we were going to go into the business of taking it from the schools...small quantity generators or

commercial businesses as well and I've sited those specific sections.

Just some unusual things we've done with our program. We've run one satellite program with an individual city where the city held its own program the day before and then they brought the waste to our main program the next day. That was done with Duarte and it worked quite well although they got very little turn out of Duarte.

A second thing that we plan to do is take pesticides that the County Agricultural Commissioner has been collecting for some time. We'll just merge them into the wastes from one of our programs and get them off their hands.

I have no further specific comments but I would entertain any questions to you.

CHAIRWOMAN TANNER: Ms. La Follette.

ASSEMBLYWOMAN LA FOLLETTE: I do have a question. Under your bill...we've talked a lot about the lack of funds, but, doesn't under your bill...aren't cities authorized and which one was that...that was the one that was signed...1809 was that? Yes. 1809...AB 1809. Doesn't it authorize cities and counties to increase solid waste collection fees?

UNIDENTIFIED VOICE: Sure.

ASSEMBLYWOMAN LA FOLLETTE: So, why don't cities and counties who are lamenting the fact that they don't have enough money...taking this upon themselves to use this bill to be able to increase the collection fees.

MR. BERGIN: To date, I can't speak for individual

city councils, but to date our Boards of Directors have not been willing to increase the fees on the landfills to accommodate these programs. They were in unusual situations when they faced large increases in the sewer surcharges. I think 44% in one year, and they were reluctant to raise the fees throughout the system on the landfill side as well.

ASSEMBLYWOMAN LA FOLLETTE: But actually...

CHAIRWOMAN TANNER: Jack Michaels...

ASSEMBLYWOMAN LA FOLLETTE: ...cities and counties are able to do this if they want to take that political bite and face the fact that they're going to be increasing fees so they can do that. It isn't just necessarily a matter of the state increasing the funding.

MR. JACK MICHAEL: Madam Chairman and Ms.

La Follette, I'm Jack Michael representing Los Angeles County Board of Supervisors. I think in the reference you make to AB 1809, there is provision for fees only in the case where there is a contract between a city and a hauler. In the case of Los Angeles County and the unincorporated area, there is no service contracts for collection of waste. So, yes the individual cities that contract for their waste collection through 1809 can provide additional fees for household hazardous waste. But, in the unincorporated area of our county at least, we have no mechanism to do that. Now, under the Eastin bill, because of that problem, we included provisions so that counties can place a tipping fee or a surcharge at the landfills. But, again, in the case of our county that can only occur if the cities within which a landfill

is located, concur in the fee. So, it's a little bit complicated and it's not simply as easy as saying that the authority is there. Again, yes, some of that issue is the political problem locally of increasing fees and some cities aren't willing to do that at this point.

UNIDENTIFIED VOICE: Prop. 13 (inaudible)

CHAIRWOMAN TANNER: Ms. Eastin.

ASSEMBLYWOMAN EASTIN: Well, you know, I mean the chickens are going to come home to roost if we look at the East coast where the fees are ten-fold what they are in California. Better to do it now and keep that stuff out of the landfills...seems to me. But, we even have a situation, isn't it LA, the City of Los Angeles, doesn't charge a pickup fee, a household pickup fee?

UNIDENTIFIED VOICE: Correct.

ASSEMBLYWOMAN EASTIN: This is astounding to me.

UNIDENTIFIED VOICE: That's out of a general fund (inaudible).

MR. MICHAEL: For residential waste in the City of Los Angeles, that's just a general fund finance mechanism.

CHAIRWOMAN TANNER: And, they send it to my district. (laughter) Yeah. Anymore questions. Thank you. Thank you very much. Steve Adams, Assistant to the City Manager of the City of Glendale. See, these hearings are so interesting and that's why it takes longer than what we planned.

MR. STEVE ADAMS: I found it very interesting, too, just to hear what the other people are doing.

CHAIRWOMAN TANNER: Go ahead.

MR. ADAMS: Thank you very much for allowing me to speak to you today. I'm here primarily to tell you a little bit about what we're doing on the local level in Glendale in terms of managing household toxic waste. Some of our observations regarding this issue...we would also like to compliment and thank you for becoming so active on this issue. We feel that the legislation is excellent in terms of being directed at future needs in dealing with the household toxic waste problem. Your involvement is really essential in solving these problems. However, in...

CHAIRWOMAN TANNER: I would ask...you will summarize won't you...your statement? You're not going to read the entire statement are you?

MR. ADAMS: ...Yeah, I'll summarize.

CHAIRWOMAN TANNER: Okay.

MR. ADAMS: However in discussing what we're doing, we also like to emphasize that we feel local control is necessary to a large degree in these programs in order for them to be successful. After much planning, we began our program last year. In addition to the general hazards of household toxic waste, we had two special concerns in Glendale. We have our own landfill which we cleared some level of...

CHAIRWOMAN TANNER: City owned?

MR. ADAMS: ...Yeah. City owned landfill which we feared some level of contamination due to the products being disposed there. We also have our own refuse collection service.

In the past, we've experienced several accidents due to our sanitation workers coming into contact with hazardous waste. Our program has two distinct components which we see as equally important: public education program and household toxic cleanup day.

Our public education program has been directed at trying to educate our residents in the dangers of improper disposal of hazardous waste. What products are hazardous? Trying to encourage them to use alternative products when possible and also promoting our household toxic waste cleanup day.

Probably, what we're most proud of is that this has been a real grass-roots effort. We prepared some of the informational materials that I passed out to you. They were made available in all businesses that sell these types of products; distributed by homeowners associations; handed to library patrons; made available at all city public counters; distributed at civic events; passed out in supermarkets; distributed to residents at neighborhood watch meetings and the fliers were inserted in the local newspapers. We also had personnel from our fire department and volunteers from the League of Women Voters that have done several presentations to various organizations throughout the city; placed articles in our newsletter and several in the newspaper; and also aired public education programs on our cable television, local cable television channel.

The second phase of our program has been the household toxic waste cleanup day. Our first was held last year on October 24th. We since then have been planning for our second day which

is taking place this Saturday, October 22nd. We felt that last year's program was extremely successful. It was just limited to Glendale residents and we had a total of 548 automobiles travel through the collection site and dispose of their waste.

CHAIRWOMAN TANNER: That was a real success for you.

MR. ADAMS: Yeah. I think we really attributed it to the expansive effort we put in the public education. We contracted with a private firm to receive, dispose of and package the waste. We worked very closely with them to establish and include in the contract requirements to consolidate and recycle as much waste as possible, in order to reduce the amounts going into a landfill. In addition to general good environmental management, we also felt that it reduced our liabilities and our costs. However, speaking of some of the problems with the variances we have, we're still going to be consolidating our waste during this next site, but we have not been allowed to consolidate it on-site, which reduced some of the cost last year.

The total cost of last year's program was approximately \$65,000. Over \$57,000 of this went to finance the collection day. About \$6,500 went into developing the educational materials. The remaining \$1,000 was for advertising costs. We financed our entire program with our refuse collection fees.

CHAIRWOMAN TANNER: Do you increase your fees?

MR. ADAMS: We increased them this year, although the household...

CHAIRWOMAN TANNER: ...I meant, for this purpose...

MR. ADAMS: ...Yes, this was a part of the increase.

We're also incorporating a recycling of our normal recycling program that we're initiating, "Curbside Recycling". That was another big portion of the increase.

With regard to our future plans, we have begun discussions with our two neighboring cities, in hopes of developing a regional collection site that will be open to receive waste, one day a week. We're also talking about including some categories of small-quantity generators' waste at that site.

In terms of our needs, the costs, of course, seem to be the most limiting factor. So, we're very interested in the grants program, and think that will have a significant impact on this issue.

To briefly share a few of our observations...First of all, as you can see, we are already very dedicated to this program. We, however, would like to see more jurisdictions get involved, since, among other reasons, since other areas utilize our landfill. That's one of the reasons that we're so excited to see the state establishing these programs.

In discussing the program with other individuals and jurisdictions in our area, liability does seem to be the primary limiting factor for them. Our philosophy on liability is that to do nothing is going to create for us more liability than to offer the program...

CHAIRWOMAN TANNER: ...Absolutely...

MR. ADAMS: ...Unfortunately, a lot of the other jurisdictions don't share that philosophy, so any strides that the state could make in assistance in that area, we think would have a

major impact on creating more local programs.

Secondly, the majority of our household toxic waste that we deal with includes paints and motor oil and we would, therefore, be very supportive of any efforts at creating recycling opportunities for these products, as long as the costs were distributed fairly, which we feel should be aimed at the consumer, in some manner.

Thirdly, as I said, we financed our program from refuse collection fees, because we viewed it as a function of refuse collection, plus we saw that operation as one of the major benefactors of the program. Therefore, I would think, in jurisdictions that have private refuse collection, we would see them as major benefactors also, and would like to see them become more involved in sharing the costs of these programs. As our first speaker spoke today, that's taking place in many areas, but we would hope that it would be encouraged in more of the communities.

That concludes my comments. I would like to thank you again for the opportunity to be here...

CHAIRWOMAN TANNER: ...Thank you very much. Questions?

MR. ADAMS: ...I would be happy to answer any questions.

CHAIRWOMAN TANNER: Thank you very much.

MR. ADAMS: Thank you.

ASSEMBLYWOMAN LA FOLLETTE: I have to make a comment. As one of those Members who represents a part of Los Angeles County, the more I read this report, and the more I think about the report that was given us, the more disturbed I am by what I

perceive to be the lack of interest and motivation on the part of L.A. County, in not only dealing with their waste, but also in dealing with hazardous waste.

Mr. Michaels I know that you're still here, or else I wouldn't have been making these remarks, because I know Mr. Bergin has gone...Somehow, we're going to have to get the message to the Board of Supervisors and that City Council, that it isn't the state's problem to solve, it is their problem -- those officials who are in charge of maintaining healthy conditions in L.A. County and L.A. City.

I just don't think the cavalier attitude that some of those people who are supposed to be the policy makers have can be condoned much longer. As I have gone over this report, and thought about the sort of "laughing" way the report was given, I'm really disturbed, and I'm very disappointed.

CHAIRWOMAN TANNER: Okay. Well, I am, too. We have been disappointed.

Okay. Emy Meiorin, Senior Environmental Engineer, Association of Bay Area Governments. Emy. Ms. Meiorin.

MS. EMY MEIORIN: Close enough.

CHAIRWOMAN TANNER: Tell me how to pronounce your name.

MS. MEIORIN: "EE-mee. EE-mee MAYorin".

CHAIRWOMAN TANNER: "EE-mee MAYorin". See? It wasn't close enough.

MS. MEIORIN: I'm with the Association of Bay Area Governments. We represent the nine counties and 100 cities of the San Francisco Bay Area, so I'm speaking in behalf of the cities

and counties in the Bay Area. I'm also representing the Regional Hazardous Waste Management Plan, which we are coordinating with the nine counties, and also, in a way, overseeing preparation of these plans by the nine counties, all of which address household hazardous waste, as well as all the other hazardous waste.

I gave to you a quick summary of our Program. I won't read through it, but I'll just summarize a few parts out of it, and bring out some points that I'd like to highlight.

Last year, ABAG with a grant from the State Water Resources Control Board, sponsored a collection program in Alameda County where we tried to get the 16 jurisdictions in Alameda County to get together to organize group collection programs, to get them through the process of learning how to go through with the permits, the protocol, and all this. This was fairly successful; in May through July, we had 12 cities that participated in four events. We looked at somewhere between 300 to 1,000 households per event; nearly 3,000 households, in total. This was only in a three-month period.

If you look on the second page of the sheet I gave you, those are some of the really basic numbers: Ninety-one percent came for the first time; 28% of the people who came were unfamiliar with hazardous waste before the program started; 17% of the people didn't know that it was unsafe to put hazardous waste in the trash; 94% of the people would come to a program again; and 92% wanted a permanent facility.

Two of the biggest problems that we faced in these collection programs were paint and motor oil. Each of these

collection programs generated extremely large volumes of paint. We're talking about 2,000 to 10,000 cans per each event. That's somewhere between 5 and 30 tons of paint in each event.

People came to us and said, "Gee, it's a shame you don't really recycle this. Why can't you plan more on this?" We thought about this and they said, "Well, you can set up recycling tables, and have people drop off the white paint on one side and colored paints on the other side, and have people go through the lines." Well, a quick calculation showed that, at 50 cans per table, this would be about 40 to 100 tables of paint. This is a little mind-boggling to do on a one-day collection that only goes for three to five hours. So, that really wasn't very workable.

We looked at doing "bulk" recycling, and the conclusion was, for a one-day collection program, this would be very labor-intensive, and relatively costly for what we wanted to do.

In the Bay Area, they've developed a "new wrinkle" to the recycling, which is that some of the hazardous waste contractors have come in and offered, at a flat rate per can, to recycle the paint. By "recycling," they mean that they will take it off -- kind of an "out of sight; out of mind" thing -- and privately find contractors and other persons willing to recycle the paint. This sounds pretty good, except that...

CHAIRWOMAN TANNER: ...You wonder what's really happening...

MS. MEIORIN: ...The (inaudible) is that, after we've questioned these individual programs, they've admitted that somewhere between maybe 40% to 60% of the paint received is

unacceptable or unusable. This means the paint is so dry or there's so little left, that it's just not worth the effort, or the paint has been contaminated, people have put cigarette butts in it, and all kinds of things that don't amend it to being recycled very easily.

We looked at possibly doing re-processed paint -- "bulking" it and then re-processing. This is probably also a bit beyond what a one-day program could handle. When you talk about these other people who have been doing paint re-processing and "bulking" you're generally going into programs that do operate for more than one day and/or are permanent programs. So, this is probably something that would be good and realistic for a one-day program where you would have a small, steady stream coming in every day or every week, but not 10,000 cans at once...

CHAIRWOMAN TANNER: ...Yes. It's really interesting that there's that much paint in garages...

MS. MEIORIN: ...Well, the numbers are mind-boggling: Of the 68% of the households that brought paint, almost half of them brought over five gallons apiece, despite all kinds of warnings that you weren't supposed to bring more than five gallons in your car. The average, per household, was 9.7 cans -- of every car that came into every collection event.

The other thing that we found when we wanted to look at re-processing, was that there is no facility in Northern California that re-processes paint. We tried to go through and look at the paint, and coatings industry people, they were -- how can I say it? (LAUGHTER) -- reluctant to participate...

CHAIRWOMAN TANNER: ...Say it any way you want...(LAUGHTER)...

MS. MEIORIN: ...They refused to accept paint of any formulation, other than their own. They were very proprietary about it. They said, "Well, gee, it would be really nice to talk about this; let's talk about it." But, it never really got beyond that. We really need more of a form to go with the paint and coatings industry.

One of the really big problems with doing the recycling of the paint and re-processing it is that the company that takes the paint, more or less, requires the generators to take the paint back, because they don't want to go through the marketing of trying to sell it. In fact, they can't sell it; they can't find enough people who want to buy what the paint industry calls, "junk paint" -- I'm not kidding you. So, basically, all that happens is that cities can only take it back and give it away for free. Now, common sense would tell you that if this were called, "primer", maybe there could be some market for this. What I really think...

CHAIRWOMAN TANNER: ...Sort of a "waste exchange" program...

MS. MEIORIN: ..."Waste exchange"...

CHAIRWOMAN TANNER: ...Yes...

MS. MEIORIN: ...What we're really looking at is, maybe working with the Solid Waste Management Board, to develop the market for taking the recycled paint; perhaps even something that would be marginally profitable, or at least, pay for itself. I think that this is important to consider.

One thing that we looked at in the Alameda County programs was...We landfilled a large portion of our latex paints, because we did such an intensive collection effort in a short period, that the cities that made up the program directed us to look at it by cost; for them, that was really the bottom line consideration.

We looked at 30 cubic yards -- a typical collection event. If we were to take it to a hazardous waste disposal site, it would cost us about \$30,000 to get rid of it. If we were to recycle it, either by having a contractor take it away for a flat fee, or "bulking" it, we're looking at something in the neighborhood of \$5,000 to \$12,000.

We ended up taking it to a local landfill and, working with the landfill company, they crushed the cans, allowed the paint to dry, and then landfilled it. This process cost about \$1,200. So, you can see what the cities eventually picked.

There is some sort of (inaudible) coming back and saying, "Well, let's look a little bit more at recycling it." But, generally, what happens is that maybe half of the stuff can't be recycled, anyway, because it's just not of a suitable quality.

I found some very disturbing things: When I talked to Health Services in May, they told us that Alternative Technology is now considering classifying latex paint as a hazardous waste, and that it cannot be disposed of in all these normal ways that we think of. This was pretty significant for a lot of the programs that are talking about the disposal of paint...

CHAIRWOMAN TANNER: ...So, certainly, after today's

hearing, it seems that everyone...Most of the household hazardous waste is paint that is brought in. That will be significant...

MS. MEIORIN: ...So, we need a real resolution on this.

If you were to call the Duty Officer at Health Services, right now, in Alternative Technology, and asked him, just as an anonymous citizen, what Health Services recommends for doing latex paint, their answer now is, because it's being considered for classification, you must treat it as a hazardous waste -- or you should treat it; I'm sorry. So, that's something we need to look at.

The other thing was that motor oils were the second-largest volume. We're looking at about 500 to 1,700 gallons per event. Thirty-four percent of the households brought oil, and one-third of them brought over five gallons apiece. Despite general awareness that there are all these kinds of benefits and needs to recycle oil, would you believe that 67% -- two-thirds -- of the people didn't know where to take oil in their community? They brought it to a collection day, which is only once a year, or "once in a blue moon". We asked them why, and they said, "Well, because of the way local economics are working, most gas stations either won't accept oil now, or they charge to accept oil."

CHAIRWOMAN TANNER: That's really too bad.

MS. MEIORIN: In fact, when we did our program, we were trying to prepare a list of gas stations that we could give to people, and most of the gas stations asked not to be put on the list. They said, "We'll take oil from our accepted customers, but

we really don't want everybody to bring their oil in." So, we think there is a real need for a regional coordination on this.

We published the Waste Management Board's Oil Recycling Hotline number, which is 800-RECYCLE. Just as a test, we tried the number, and we found that their data base was quite limited, and it's a particularly "user-unfriendly" system; it relies on using zipcodes. If you don't know your zipcode, or if you don't know the zipcode of the city next to you, you're lost; it's as simple as that. They don't index it by city...

CHAIRWOMAN TANNER: ...That makes sense...(LAUGHTER)...

MS. MEIORIN: ...You ask for your city's zipcode; they don't have it. They say, "Pick another zipcode," and you say, "I don't know any." (LAUGHTER)

CHAIRWOMAN TANNER: ...That doesn't make sense...

MS. MEIORIN: ...So, we're looking at suggestions for future programs. An emphasis would be to facilitate establishment of these permanent county and inter-county facilities.

Right now, in the Bay Area, by and large, most of the programs are one-day collection programs. Earlier, a gentlemen from Health Services said that he knew of at least 11 cities that were doing it on their own. I can tell you that in the Bay Area, we've had five of the nine counties that, at one time or another, have done a program. Over 22 cities have gone on, on their own, to conduct collection programs, because they couldn't wait for the county to "get their act together". That's how involved people are in here.

Most of the cities have come back and said that these

programs are extremely costly to operate, and that there's just no way that they could operate a permanent program, no matter how much they wanted to. A good example is the City of Palo Alto, which is one of the first cities to do it. They do it four times a year, which is a lot. But, they draw the line; they just won't set up a permanent program, because of the cost and liability involved. So, really, all of them are asking for the counties to come and give them assistance to set up a permanent program.

As part of the Tanner Planning Process, we've talked with various counties. They have varying stages of enthusiasm at setting up permanent household hazardous waste collection sites, because they're looking at a lot of other priorities for hazardous waste planning in the County. So, it's something that's quite difficult.

We've found that not all cities were able to go after their solid waste fees for setting up the programs for various and sundry reasons -- mainly because some of them have already used this as a mechanism for funding other types of activities, and the communities are very sensitive about this. They're sensitive about using other utility fees, which aren't related to solid -- or hazardous -- waste.

The counties in the Bay Area, we found, have generally been less effective than the cities in doing any type of fee- or tax-levying for funding these programs. (Inaudible) have done their own programs. So, we're really looking at something that will help us to fund a permanent program on a long-term basis.

To this end, ABAG and the League of Women Voters will

probably be sponsoring another conference in February of 1989, which will be discussing household hazardous waste, financing methods and legal liabilities.

Just a little bit about hazardous waste collection program funding...There are just two more things I wanted to go through: the funding needs and small-quantity generators.

We asked households how they perceived facility-user fees and if they wanted to pay. We did a survey in 1985 of 300 households, and found that most people felt that one to two dollars per household was what they'd be willing to pay. Some of the people were willing to go up as high as five to eight dollars per household, for coming to these events.

In the Alameda County Program, four events cost about \$260,000, and divided by the number of participants -- if you did it that way -- it would be about \$63 to \$122 per participant. It's quite a bit that we're talking about. So, all the counties have been requesting assistance.

As I mentioned before, they're having a...

CHAIRWOMAN TANNER: ...You know, the Program is expensive; there's no question about it. If we continue to put hazardous waste in our landfills -- in our solid waste landfills -- we'll have more and more contaminated sites, we'll have more and more sites on our Superfund list. You know, we just can't have it.

I guess it was probably in 1982 when I talked with the people on the Solid Waste Management Board and I talked to the local sanitation districts and I talked to the Department of

Health Services, and I said, "You know, this is a real problem -- this household hazardous waste." Those were the years when people wouldn't listen -- "No, there's no problem at all with household hazardous waste." Of course, there's a problem with household hazardous waste; it's expensive and it's an expensive program.

I think the public should be aware, also, that they are breaking the law if they're just putting it down the drain, or throwing it away. So, that may encourage people to bring their waste in to be disposed of properly.

ASSEMBLYWOMAN EASTIN: The "flip side" of that, too, is that we don't do what I call, "the avoided cost analysis". We don't talk about the cost of...It's not a contaminated site; in the Bay Area, it's the water we drink -- we drink ground water in the Bay Area. So, when Chairwoman Tanner talks about a contaminated site, what she's really talking about is the water we take from the tap.

Beyond that, a lot of the pollution in the San Francisco Bay, as you well know, Emy, comes from things like that motor oil that some guy goes out and tosses down the storm drain. Evergreen Oil, which is in Newark, makes it a point to close off its outlets to the storm drains during rains, so no one can come and blame them for all the oil that winds up down in the outlet near their firm. It's phenomenal, if you've ever seen it; it's disgusting.

It is, I'm sure, expensive, but we've got to find a way to make that money available to pay the cost of cleaning it up. It's "Pay me now, or pay me later." Either we pay to keep it out of the water, or we wind up with these IBMs...I don't know if

you've ever been down to their plant to see their clean-up -- I know Sally has been there. It's a \$75 million clean-up for what is, essentially, a rather minor spill -- nowhere near the kind of contamination that we could be incurring at some of these landfill sites.

So, I guess I would say that maybe it is \$62 or \$102 per household, for those households that brought the stuff in, but the cost to us for the households that didn't bring it in, that stuck it in the storm drain or put it in the landfills, is probably much higher.

CHAIRWOMAN TANNER: It will be. It will be. I'm so in favor of these programs. I just want to see them get bigger and better. So, I want to be -- and I know that every Member of this Committee wants to be -- supportive of what all of you are doing where we can help. We have attempted to help; we have written laws that made it possible for these programs. But, it's not enough; not enough help has been given.

ASSEMBLYWOMAN EASTIN: I think you're right. What you're getting at is the need to pool our resources and do it on a bigger than city-by-city basis, on more of a regional basis. But, you're going to have to help us to understand the models. We're all going to have to work to help cite the facilities, because NIMBY is rampant everywhere in the state.

CHAIRWOMAN TANNER: We've been hearing about the latex paint and how much paint is brought in. If that is not now a hazardous waste...It is not? And if it is...

MS. MEIORIN: ...It's not, officially...

CHAIRWOMAN TANNER: ...If it is going to be designated a hazardous waste by the Department of Health Services, then they're going to have to figure out what we're going to do with all that paint.

MS. MEIORIN: Well, they are looking at it more from the technical standpoint, as opposed to the economic standpoint.

CHAIRWOMAN TANNER: Yes. I mean, technically, what are we going to do with all that paint, then...? (LAUGHTER)...

MS. MEIORIN: ...Just re-name it...(LAUGHTER)...

In the preparation of the regional hazardous waste plans, and the county hazardous waste plans in the Bay Area, ABAG and some of the counties identified some things that they thought were worthwhile looking into, which would be working with industry assistance for developing private grants or (inaudible) services, to defray some of the disposal costs.

The other thing that ABAG and the county has recommended looking into, was some form of an option for doing a hazardous waste product tax, specifically targeted at products that could be purchased that could later become a hazardous waste, and would require some sort of disposal...

CHAIRWOMAN TANNER: ...We can't even get a bill passed regarding labels that have warnings. We've tried and tried.

MS. MEIORIN: That doesn't mean that we should stop, though.

CHAIRWOMAN TANNER: We'll never stop. We'll never stop.

UNIDENTIFIED VOICE: (Inaudible)...(LAUGHTER)...

MS. MEIORIN: Okay. But, the point was, to continue to

look at different methods for funding.

Since we looked at overall waste planning in the Bay Area, we found that we needed something more than just the coordination of cities; we needed something to coordinate the counties, as well. We need to update our county hazardous waste management plans, and the regional plans, every few years. So, we need some sort of on-going funding for that.

Also, what we looked at is major assistance to the various counties in setting up these permanent programs, especially for the smaller counties, on a much broader level.

The last item I'll talk about is the small-quantity generators. As part of our grant in Alameda County, to do a program, we set up a pilot program for small-quantity generators. Basically, we worked with a hazardous waste hauler to provide discounted rates for small businesses that would participate in a scheduled "milk run" collection type of system. The program was quite small, and the success was quite limited. We had about a six percent success rate. This was a little disappointing to us, because we had hoped it would be higher. We...

CHAIRWOMAN TANNER: ...I wonder what they're doing. It's a worry, isn't it?

MS. MEIORIN: Well, we were really trying to target what we call, "the very small-quantity generators". These are people who generate less than 100 pounds per month. We worked with a county that had a MOU with the Health Services to do inspections and fees; a lot of other counties don't have that, so it's even more difficult. We went through and tried to analyze why it was

that people weren't doing the proper disposal methods. To a tee, they all said, "It costs too much" -- or, at least, from their perception, it cost a lot. They're looking at \$400 to \$600 per drum. For them, this was...

CHAIRWOMAN TANNER: ...So, what are they doing?

MS. MEIORIN: Most of it goes in the garbage. You're looking at illegal disposal.

A lot of them were unfamiliar with the regulations or the proper procedures; they were stymied by thinking that they would have to apply for permits. They were unaware that they really had that much hazardous waste that they were generating; they didn't really think of metal filings in sawdust as being a hazardous waste. They didn't think of the oil drippings as being a hazardous waste.

The last item was, boy this was, just a real low priority with us. It seemed to be pretty much proportional to the level of enforcement for inspection. The bottom line was that small generators frequently appeared in our collection programs. Most of them were bringing paint and paint products. A few of the painters came in and they recognized that this was a problem. They said we would really love to come in and work in some sort of task force with you or get this going, because I'm a painter I know 50 other painters out there who are doing much less responsible things than I am. We're talking about, if 60% of the household bring in paint and they've brought in 10,000 cans of paint. That's probably small, compared to the amount that small businesses of painters are doing every day and every week and

every month. We really need to set up some program that would really help the very small generators to be able to dispose of it. They all insisted, or rather they all requested, that it would be helpful for them to be able to come to some of these household collection programs. They didn't mind if it was set up in maybe a separate area, or a separate part of it, or a separate day, or a special day for them.

CHAIRWOMAN TANNER: We have to make provisions. We really do.

MS. MEIORIN: This was something they may have thought would be very helpful to them. Our only response we could tell them was that, at this time, we cannot accept small generator waste and in fact it's illegal. No matter how much you want to pay us now, we can't accept it. This was something that we really want to direct...this permit process...either a combination or a streamlining of the permit process and to facilitate jurisdictions to obtain these combined permits. Those are most of my comments. We produce a number of reports that would summarize some of these things that we did. I can make them available if you wish.

CHAIRWOMAN TANNER: It's Emy Meiorin, right. Sorry, I got your name wrong. That was very good. That was very interesting. Thank you so much. Now, we have Joe Zorn who is the General Manager of the Environmental Remedial Action Cleanup, Department of Chemical Waste Management. Hi.

MR. JOE ZORN: Good afternoon. I will summarize, for the sake of the Committee, and also for my World Series ticket that's waiting in Oakland. OK. (laughter)

I'm currently working for Chemical Waste Management in the Environmental Remedial Action which is the group within the company that handles household hazardous waste programs, technical services and environmental services. I'm here also representing Waste Management, Inc. which is the solid waste branch of our company that handles solid waste management and is very active here in California as some of you may know.

My comments are on five topics that we've heard today. I'd like to just briefly augment those and that's in terms of the growth of these programs, in terms of the permitting that's necessary, the small quantity generator problem, education and lastly paint which seems to be consistently commented upon.

The growth is phenomenal. We have done 30 programs in the last year or two here in the State of California. Unlike the other speakers who have been isolated to a certain city or region, we have done them all across the State of California. We primarily have done the episodic type of roundups but we're seeing repeats of those in the same communities. Because they've been so successful, they've asked us to come back on an annual basis or semi-annual basis.

CHAIRWOMAN TANNER: How do you work with the community?

MR. ZORN: How do we work with the community?

CHAIRWOMAN TANNER: Yeah.

MR. ZORN: We actually end up at least in the initial roundup as being an advisor, because we do have so much experience we help them through the variance procedures. How we distribute the information of public education. How we get the publicity

out. How we get to the school system because we've been through this so many times. We also advise them as to what's the best type of location to assure success of the program, possibly firehouses or even county owned property that has good access. We go through all the do's and don'ts and all the bad experiences that we have learned over time that we don't repeat, obviously. So we've become more of an advisor.

Now, we've also come across some very sophisticated counties or cities that have been through this before and then it makes it quite easy on our part. The statistics you've heard about, 5 gallons being probably low or correct. We see 5 gallons as being the average per participant, in many cases, a lot more than that. Then again, our statistics show that about 60% of that material is paint, primarily latex paint so that is a problem.

We do offer recycling of the waste oil and we have tried to recycle some of the paints and we've run into the same problems that others have run into.

In terms of the permitting, we have seen all sorts of programs, mostly the one time roundups, the episodic type of program. That's a natural progression into the multi-year events. Some cities and counties have opted to do a quarterly or semi-annually. The other thing that we've seen though is more of a total waste management approach, at least in the discussion stage where they would try to coordinate this with solid waste collection and have a permanent collection point. In fact, Waste Management and Chemical Waste Management have collectively adopted a policy that, in the waste management contracts that said

we were offering to communities across California...we will offer the hazardous waste management household program in conjunction with that. It will be automatic if they want to elect to take us up on our offer then fine. Otherwise, we will probably pursue it even separately with Chemical Waste Management as an episodic program even if they don't want to roll it into an overall waste management program for that city or county.

CHAIRWOMAN TANNER: So, you are making those programs available.

MR. ZORN: Right. So, if there has not been a lot of interest at this point with the Department of Health Services on those types of permits, I think just because of our very own policy, we will see an increase of those types of applications in the future. We're seeing a great deal of cooperation between cities and counties simply because of the funding issue; especially, the smaller cities that cannot fund these programs. They are very expensive, and they're really looking to collectively do that and maybe have one location within the geographic region to do that. Small quantity generators, we do see small quantity generators show up at the programs. We of course have to turn them away. But because our company offers hazardous waste management services to companies of all sizes, we can give them a contact to follow through. So, hopefully they don't end up doing something inappropriate.

The other small quantity generator that hasn't been mentioned today and it's been a problem especially in the smaller communities are schools. Junior highs and high schools that have

chemistry laboratories really don't qualify to rid themselves of materials from their labs at the household programs.

CHAIRWOMAN TANNER: It seems to me we passed a law regarding...(inaudible)

MR. ZORN: In particular, we ran into a situation with King's County where we had a number of schools respond thinking they qualified. We had to handle those materials separately. In fact, some of the more bizarre and dangerous chemicals that we encountered in that program were from the schools. They had materials that had been in the labs for 15 or 20 years and were quite dangerous explosive and in fact had to have a branch of the government come out and detonate some of the material locally. That type of thing really should be considered. Universities deal with hazardous waste on a regular basis and usually have fairly large quantities so they have the programs in place and the environmental people to take care of that. Junior Highs and High Schools normally don't have any type of people with expertise.

CHAIRWOMAN TANNER: (inaudible) this have the problem of clinics for the next and (inaudible) doctor's off medical waste. There are some serious problems. We haven't seen what happened in what was it New York, New Jersey, the East coast? That's a serious problem?

MR. ZORN: Education of the public, I think, is probably the strongest point I'd like to make. Remove all the other obstacles: the funding, the liability. But, as you've heard from others, the participation is disappointing at times and if participation could be improved, I think the programs would be so

much better. It really comes down to coordination and strategy provided at whatever level: city level, county level. We've seen that some counties will actually declare a particular week as "Household Hazardous Waste Week" or month in conjunction with the roundup program.

We will have a media day where we'll actually demonstrate what could happen if certain types of chemicals came together in your garage or your house and how dangerous it can be, which of course gets a lot of attention.

We have a speaker's bureau where county supervisors or city council people will go around to Kiwanis and rotary alliance clubs and speak about the problem. We get participation, not just by the private entity chemical waste management, but all the way up through the public officials that are sponsoring the event. It becomes more of a unified effort.

CHAIRWOMAN TANNER: There are just a lot of people that we don't reach with those programs.

MR. ZORN: That I think we're particularly qualified for and do a lot with that up front type work to make sure the event is successful, not just provide the lab packing and the transportation and disposal and recycling of the material, that actually make sure its successful by starting well in advance of the program.

And, paint lastly...as I said 60% of what we receive is paint, it is a big problem. If there was some way that paint could be reused by people of limited financial means to fix up their homes or do some refurbishing. However, there is a great

deal of the paint that is not recyclable, reusable, because it is dried. Just think about reducing 60% of that by half. The cost for these programs could be reduced substantially. Right now, most of it is going through disposal as opposed to recycling.

CHAIRWOMAN TANNER: Okay.

MR. ZORN: We have also been involved with the California Environmental Trust in a two year series of meetings and workshops about these problems and obstacles that you're addressing. In fact there is a workshop on Friday of this week in Whittier...

CHAIRWOMAN TANNER: We have someone from the California Environmental Trust going to speak.

MR. ZORN: I would like to offer Chemical Waste Management and Waste Management because of all the programs that we've conducted as a source of information. If you have any detailed questions that you would like to pose to us at anytime in the future, please feel free to involve us.

CHAIRWOMAN TANNER: All right. Thank you, Ms. Eastin.

ASSEMBLYWOMAN EASTIN: Just one quick question, because Chem Waste and your parent company are also national companies, do you have any insights to offer us in terms of what other states are doing to...?

CHAIRWOMAN TANNER: That's not a quick question.

ASSEMBLYWOMAN EASTIN: Well, you know I...

MR. ZORN: Actually, it is. The events that we have done here in California represent the concentration of events that we have done nationally. It's amazing. The other regions that

have, that offer, the same type of service look to the California group as being the experts because we have done so many more than they have. There's not the intense activity as there is in California and other states. I just have not seen it. In fact they don't really look at it as a big part of their business, as we do. We have a dedicated staff now that does nothing but household programs. In fact, we are booked every weekend from now until the holidays and we wish we could probably do multiple events on weekends. Right now, we only have staff to do single events. There is one coming up in West Sacramento this weekend.

CHAIRWOMAN TANNER: I would think a state like Louisiana would be certainly concerned.

ASSEMBLYWOMAN EASTIN: Well, they probably should be, yeah. Maybe brain damage has set in already. I guess in the long term we'd really be interested in if you do discover that there are some insights that you could offer us as to why, for example, paint is being recycled in some states more than in California. Given specific product solutions and maybe today is not the day, but it's something I know you all helped me last year with a procurement bill to get the state more in the business of creating markets, which unfortunately our Governor didn't support. But, nonetheless, and all the more, it seems to me that with some other approaches like that you all might have some insights too. Let's keep trying to find a way to create those markets.

MR. ZORN: I'd be happy to provide any information we can.

ASSEMBLYWOMAN EASTIN: Thank you.

CHAIRWOMAN TANNER: All right. Thank you.

MR. ZORN: Thank you.

CHAIRWOMAN TANNER: We'll hear from Tish Sprague, who is Vice President of California Environmental Trust. Ms. Sprague.

MS. TISH SPRAGUE: Good afternoon. Thank you very much for the opportunity to address the committee.

CHAIRWOMAN TANNER: You're welcome.

MS. SPRAGUE: I'm from the California Environmental Trust. We're a private nonprofit organization incorporated in 1985. Our major purpose is to advance environmental programs throughout the state of California by bringing people together through consensus building rather than through adversarial processes and to, particularly, try and avoid litigation.

We have a distinguish Board of Trustees that represent both the north and the south of the state, Democrats and Republicans, all of them with long histories of public service to the state of California.

Mel Lean is the Chairman of our Board who was the first Chair of the Coastal Commission and also the San Francisco Bay Conservation and Development Commission. John Bryson the former Chair of the State Resources Board and Past President of the Public Utilities Commission serves on our board, as does Mary Nichols, who was Secretary of the Environment and Chairwoman of the State Air Resources Board. Norm Livermore, former Secretary of the California Resources Agency is also a member of our board, and the others are listed in the materials which I gave to you.

We were recently, I guess about a year ago, were asked

jointly by Waste Management and the Sierra Club, California, two groups not traditionally known for working together, to help them explore what the barriers are to effective disposal of household hazardous waste programs. To identify the problem areas which have prevented successful programs, and to try and see what we can do to help these and other groups work towards solutions.

We have hosted a number of workshops over the past year and have identified a number of problems, all of which, have been addressed to you this morning, and I'm sure you're all very familiar with.

The key, where are liability issues, what to do with dioxins and other special wastes, lack of public awareness, possible changes in the law, funding programs.

This is especially timely for me to speak to you today, because we are hosting a conference in Whittier, and I've given you a copy of the brochure, on Friday, which will address these issues. We are very honored to have your committee member Delaine Eastin as our luncheon speaker, and we've appreciated the work that Dorothy Rice has done. We will have panels on liability and indemnification on funding programs, and on current and proposed legislation and possible suggestions for new legislation.

Some of the co-sponsors for this event include, The County Supervisors Association of California, the League of California Cities, the League of Women Voters of California, the Local Government Commission, the Planning and Conservation League, the San Bernardino County Department of Environmental Health Services, Sierra Club/California, Southern California Hazardous

Waste Management Authority, and the Southern California Coalition for Hazardous Materials Management, The State Solid Waste Management Board and the Waste Management, Inc. We have also had lots of inquiries from people in the Northern part of the state who are interested in having a similar event and we will look to see if we can do something like that in the future. Thank you very much.

CHAIRWOMAN TANNER: Thank you very much. I think it should be a -- I'm sorry I can't be there Friday, but I think it should be a very very interesting meeting. Okay.

Our last witness is Dan Scannell, is that Dan Scannell, or is it Dan Scannell, Executive Director on the Proposition 105, Yes on Proposition 105. We're not having Mr. Scannell appear to push 105, but to explain the household hazardous waste part of 105.

MR. DAN SCANNELL: Well, first of all, thank you for inviting me to speak today. What I'll do is just quickly summarize the proposition and then focus on how it affects the disposal of household toxic products, and I'll try and be as brief as possible so we can all go to lunch, or go to the A's Games whatever everyone is doing.

Prop. 105...

CHAIRWOMAN TANNER: I thought the A's game is at 5:00.

MR. SCANNELL: It is but you got to get there early for parking. I have tickets too, you know, I'm going down. Yes. That's right.

Prop. 105 is a truth and advertising initiative. It

requires certain advertisements to disclose more information to consumers. There are several areas of advertisements that are affected, household toxic products, nursing homes, medigap insurance, initiative advertisements.

Each advertisement must disclose a California and State agency toll free number. For example, nursing homes would have to disclose the State Ombudsman toll free number, medigap insurance ads would have to disclose the Department of Insurance toll free number, household toxic products would have to disclose the Department of Health Services Waste Alert Hotline, and that's 1-800-25-toxic.

So, now I'll focus on the household toxic product area. It was included in our initiative because several members of our coalition, Californians Against Waste, Consumer Action, Americans for Nonsmokers Rights and several others had been following AB 1809 and AB 2290. And particularly, in AB 2290, we found that the manufacturers of household toxic products effectively lobbied to kill the bill in Conference Committee earlier this year. Our coalition felt that labeling or at least some kind of warning to consumers regarding the disposal of these products was necessary. And we figured it's much harder to kill an initiative or at least much more expensive, so that's why we included it in Prop 105.

CHAIRWOMAN TANNER: I wonder if it's much more expensive. But go ahead.

MR. SCANNELL: Excuse me, I'm sorry.

CHAIRWOMAN TANNER: No go ahead.

MR. SCANNELL: Okay, sorry.

CHAIRWOMAN TANNER: Don't you wonder.

MR. SCANNELL: The way we drafted it was to examine all the business arguments against labeling. They said it's expensive. We'd have to have separate inventories for California only products. If other states followed there would be different requirements for the labels. For example, in California you might have a red label with scull and crossbones. In Nebraska you might have something saying dispose of properly.

CHAIRWOMAN TANNER: You know, people came into my office, I carried a bill like that once, too, and people came into my office and had that argument. And of course, if it's toxic in California, I think it's toxic in Ohio.

MR. SCANNELL: Right. Exactly. Thank you.

CHAIRWOMAN TANNER: Yes. It seems to me.

MR. SCANNELL: So, we looked at their arguments and we decided that we'd try and reach a fair compromise between the business interest and the consumer interest. And so, instead of labeling, we wrote in a flexible clear and reasonable warning, very similar to Prop. 65. But, we had it include the California Department of Health Services' toll-free phone number. We picked the DHS because it issues the regs on, you know, what is or is not toxic.

CHAIRWOMAN TANNER: That makes sense.

MR. SCANNELL: Well, yes. Anyway, I'm getting lost, I just scribbled all over the place. And Prop 105 can be amended by a 2/3 vote in both houses, in the State Senate and the Assembly.

The attempt was this, well if this is passed, and you

know, if not you can feel free to use any of the information or advise, and I'd be happy to give you any advice if I could. But businesses don't have to label every product, which, of course, they said was very expensive. But what they must do is publicize this existing toll free number. And as you see, the maps I gave you we have this toll free number which is under-utilized. I talked to the woman on the phone and she says she receives two to three phone calls a day. I think what it's suppose to be used for is for people that are dumping stuff in gutters, and you see that happening, and then you call and say I just saw someone dumping stuff. But they also operate as a referral toll-free service, and then they send you to one of four regions, wherever you're calling from. North Coast, Northern Region, Fresno Region, or the Southern California Region.

These regional offices, ran by the DHS, can provide consumers with much more information about disposal or about pick up services in their area, particularly, as these pick up services progress.

And in closing, I think, it's a very fair compromise between businesses and consumers. It's far less expensive and much more flexible from a business perspective. Yet, it satisfies the disposal needs by publicizing this toll free phone number. Thank you.

CHAIRWOMAN TANNER: That's good, but you see even on this initiative you had to compromise, you really had to give up the meat of the idea. It seems to me, finally, we're going to have to do that, and you know, really take hold. It isn't a

partisan matter because I carried the bill as a Democrat, and then Bill Filante who is a Republican carried a labeling bill. So, you know, it's not a partisan thing. I don't know. One of these days we're going to get something tough.

MR. SCANNELL: I hope so.

CHAIRWOMAN TANNER: Yes. Thank you very much.

MR. SCANNELL: Okay, thank you very much.

CHAIRWOMAN TANNER: Thank you. Well, ladies and gentlemen, there just is a lot more to talk about. We need to spend more time with you. Certainly everyone of us who are on the committee, everyone is interested in hearing from you. We would like to work with you. We have always attempted to work with the Department of Health Services, the Waste Management Board, and I think that if we work together and continue to recognize how serious the problems are, not only the household hazardous waste problems, but I think we have to address the small quantity generators problems because what is happening is, if you have a program and you will accept waste from the small quantity generator and nobody comes to the party, that waste is going somewhere and we have to do something about that. Education is important.

On the hazardous waste 1809, that Household Hazardous Waste bill that I carried, there was a provision in it that requires the Department of Education to add something in the curriculum to educate the kids, and you know, there is another case of a state agency saying, I won't do it. Can you believe it. So we have to keep pushing and working together. Thank you

very much for being here. I hope you enjoyed the hearing and I hope you learned something, I certainly have. Thank you.

